

STATE OF NORTH DAKOTA

---

# Journal of the House

of the

# Twenty-Ninth Session

of the

# Legislative Assembly

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Begun and held at the Capitol Building at Bismarck,  
January 2nd to March 2nd, 1944, Inclusive

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A. R. BERGESEN  
Fargo, North Dakota  
Speaker of the House

KENNETH L. MORGAN  
Walcott, North Dakota  
Chief Clerk



BISMARCK TRIBUNE

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# OFFICERS AND EMPLOYEES

of the  
**HOUSE OF REPRESENTATIVES OF NORTH DAKOTA**  
 for the  
**TWENTY-NINTH LEGISLATIVE ASSEMBLY**  
 1945

Name	Home Address	Duties
Kenneth L. Morgan	Walcott	Chief Clerk
Mrs. Marie Tunell	Bismarck	Desk Reporter
Vic Gilbreath	Bismarck	Assistant Chief Clerk
Margaret Schoenecker	Bismarck	Assistant Desk Reporter
Ethelyne Jorve	Bismarck	Head Stenographer
Mrs. Louise Finke	Bismarck	Appro. Com. Clerk
Mrs. Irene Lere	LaMoure	Bill Clerk
Fred Ingstad	Fargo	Sergeant-at-Arms
O. J. Lokken	Walcott	Calendar Clerk
Mrs. Eleanor Vendt	Mandan	Enrolling & Eng. Clerk
Robert Johnson	Fullerton	Enrolling & Eng. Clerk
Lars Soiseth	Williston	Bill Room Clerk
Miles Nelson	Erie	Head Mailing Clerk
E. K. Shaeffer	Carrington	State Affairs Com. Clerk
Gladys Unzelman	Bismarck	Stenographer
Mrs. Alice Kramer	Valley City	Stenographer
Mrs. Edna Sand	Bismarck	Stenog. & Com. Clerk
Mrs. Ann T. Allen	Donnybrook	Stenog. & Com. Clerk
Mrs. Glen Oleson	Webster	Committee Clerk
Alda I. Moe	Osnabrock	Committee Clerk
Mrs. Doris Bronaugh	Glenfield	Committee Clerk
Mrs. Gilma Yonker	Bismarck	Proofreader
Harold Smith	Lisbon	Proofreader
Mrs. Myrtle Thorberg	Mandan	Chief Enr. & Eng. Stenog.
Florence Boutrous	Bismarck	Enr. & Eng. Stenog.
John Feist, Jr.	Zeeland	Asst. Sergeant-at-Arms
Oswald Kruisk	Rock Lake	Main Doorkeeper
H. E. Bergland	Bismarck	Doorkeeper
Oscar Olson	Bismarck	Doorkeeper
Fred Borusky	Langdon	Doorkeeper
Earl McInnes	Hillsboro	Postmaster
H. R. Bonny	Bismarck	Messenger to Governor
John Byrne	LaMoure	Messenger to Senate
Mrs. Agnes Sailer	Stanton	Mailing Clerk
Fred Fisher	Gackle	Mailing Clerk
Mrs. I. A. Smith	Bismarck	Mailing Clerk
Mrs. Walter Buck	Bismarck	Telephone Attendant
Carl O. Lindberg (7 days)	Bismarck	Night Watchman
Beverly Young	Bismarck	Page
O. Warren Asplund	Bismarck	Page
Levern Gayman	Ellendale	Page
Jack Kock	Bismarck	Page
Marlys Hogue	Bismarck	Stenographer
Gertrude Wertz	Coleharbor	Enr. & Eng. Stenog.
Ann O. Selvig	Bismarck	Enr. & Eng. Stenog.
Mrs. Bette Teslovick	Bismarck	Enr. & Eng. Stenog.
A. N. Lindsay	Mapleton	Bill Room Clerk

## HOUSE MEMBERS

Dist.	County	Name	Address
1.	Pembina	Alex Dalzell	Walhalla
		John Halcrow	Bowesmont
		Earl D. Symington	Neché
2.	Pt. Ward	Emanuel Mortenson	Kenmare
		Palmer Levin	Park River
3.	Pt. Walsh	M. T. Lillehaugen	Brocket
		Wilfred Collette	Grafton
4.	Pt. Walsh	K. L. Boulden	Larimore
6.	Pt. Grand Forks	Geo. Saumur	Grand Forks
7.	Pt. Grand Forks	A. M. Allen	Thompson
8.	Traill	Edwin L. Bagge	Cummings
		H. W. McInnes	Kelso
		Harvey G. Wambheim	Hatton
9.	Pt. Cass	A. R. Bergesen	Fargo
		J. I. Brady	Fargo
		K. A. Fitch	Fargo
		Arthur C. Johnson	Fargo
		C. T. Yirchott	Fargo
10.	Pt. Cass	Manfred R. Ohnstad	West Fargo
		Kenneth K. Pyle	West Fargo
11.	Pt. Cass	Wesley L. Bolmeier	Erie
		G. R. Dittmer	Durbin
12.	Pt. Richland	Vernon M. Johnson	Wahpeton
		A. W. Luick	Fairmount
13.	Sargent	Mal Gainor	Milnor
		G. A. Klefstad	Forman
14.	Ransom	Mark Stanley	Lisbon
		H. G. Severson	Kathryn
15.	Pt. Barnes	Curtis Olson	Valley City
16.	Griggs-Steele	Thomas V. Devlin	Hope
		Bjorn Fuglestad	Cooperstown
		Harry L. Thompson	Cooperstown
17.	Nelson	Olaf Hildre	Dahlen
		Ole Lysne	Pekin
18.	Cavalier	L. E. Callahan	Munich
		W. M. Crockett	Wales
		Peter Moe	Osnabrock
19.	Rolette	Henri Boucher	Rolette
		Simeon Grenier	Thorne
20.	Benson	C. H. Hofstrand	Leeds
		I. B. Rohrer	Churchs Ferry
21.	Ramsey	Louis Leet	Webster
		Frithjof Skaar	Hampden
		Harry Stormon	Devils Lake
22.	Towner	D. S. Blair	Maza
		E. J. Langley	Rock Lake
23.	Stutsman	C. F. Arndt	Streeter
		C. D. Drawz	Jamestown
		H. M. Ekren	Kensal
		P. G. Westby	Jamestown
24.	LaMoure	A. J. Sandness	LaMoure
		Zack Shockman	Berlin
25.	Dickey	Cornelius Bymers	Ellendale
		F. J. Graham	Ellendale
26.	Emmons	John J. Baumgartner	Strasburg
		Joseph Welk	Hague
27.	Burleigh	William B. Falconer	Bismarck
		John R. Fleck	Bismarck
		Walter E. Sellens	Bismarck

Dist.	County	Name	Address
28.	Bottineau	S. J. Acheson	Westhope
		Duncan Fraser	Omamee
		Arlan Stair	Newburg
29.	Pt. Ward	A. W. Benno	Minot
		Brynhild Haugland	Minot
		Dave Hovey	Minot
		W. M. Smart	Minot
30.	Morton	Andrew C. Mork	Mandan
		Matt M. Schmidt	Flasher
		Richard E. Wolf	New Salem
31.	Stark	A. H. Schmalenberger	Hebron
		Ray Schnell	Dickinson
		Leo Sticka	New England
32.	Eddy-Foster	A. H. Nystrom	Sheyenne
		A. I. Sharpe	Glenfield
33.	Wells	Morris Larson	Fessenden
		Calvin Schimke	Harvey
34.	McHenry	L. W. Belzer	Balfour
		Andrew Halvorson	Upham
		Theodore Monson	Bergen
35.	Kidder-Sheridan	George Engel	McClusky
		Gottlieb Frank	Kief
36.	McIntosh-Logan	Ed Haag	Fredonia
		Anton J. Schmidt	Napoleon
		Ben J. Wolf	Zeeland
37.	Pt. Richland	Ray Thompson	Walcott
		Chas. Wollitz	Lidgerwood
38.	Pt. Barnes	Arthur A. Herk	Fingal
39.	Billings, Bowman, Golden Valley and Slope	M. B. Hogoboom	Alpha
		C. T. Olson	Bowman
		J. M. Still	Beach
40.	Burke-Divide	Harold Burau	Larson
		J. H. Heckman	Alkabo
		Frank Lindberg	Lostwood
41.	McKenzie	Bernt Anderson	Charlson
		Iver Drovdal	Arnegard
42.	Pierce	George Allen	Pleasant Lake
		Wm. H. Tuff	Barton
43.	Renville	Olaf Ostgulen	Donnybrook
44.	Mountrail	Albert Moerke	Van Hook
		J. N. Mollet	Powers Lake
45.	Williams	Asle Bjella	Epping
		Lloyd Esterby	Appam
		S. A. Forseth	Williston
46.	McLean	Donnell Haugen	Roseglen
		J. W. Jennings	Washburn
		Geo. J. Schlafmann	Turtle Lake
47.	Grant-Sioux	James J. Maher	Morristown, S. Dak.
		Fred Seibel	Elgin
48.	Mercer, Oliver and Dunn	Walter Bubel	Center
		Gottlieb Isaak	Dodge
		Edwin G. Sailer	Stanton
49.	Adams-Hettinger	Elmer Hegge	New England
		George Schwartz	Mott

## SENATE MEMBERS

Dist.	County	Name	Address
1.	Pembina	Franklin Page	Hamilton
2.	Pt. Ward	Walter Troxel	Berthold
3.	Pt. Walsh	Harry O'Brien	Park River
4.	Pt. Walsh	Rilie R. Morgan	Grafton
5.	Pt. Grand Forks	Oliver Bilden	Northwood
6.	Pt. Grand Forks	Carroll Day	Grand Forks
7.	Pt. Grand Forks	J. B. Bridston	Grand Forks
8.	Traill	C. Norman Brunsdale	Mayville
9.	Pt. Cass	W. H. Shure	Fargo
10.	Pt. Cass	Frank H. Beaton	Fargo
11.	Pt. Cass	John Conrad	Erie
12.	Pt. Richland	Wm. J. Braun	Wahpeton
13.	Sargent	Oscar Wahlund	Cogswell
14.	Ransom	J. L. Flatt	Sheldon
15.	Pt. Barnes	P. L. Foss	Valley City
16.	Griggs-Steele	Steven C. Nelson	Finley
17.	Nelson	R. R. Lofthus	McVile
18.	Cavalier	H. J. Work	Langdon
19.	Rolette	Ray Murry	Dunseith
20.	Benson	Orris G. Nordhogen	Leeds
21.	Ramsey	G. F. Drew	Devils Lake
22.	Towner	J. J. Kehoe	Cando
23.	Stutsman	G. I. Feton	Jamestown
24.	LaMoure	M. R. Young	Berlin
25.	Dickey	Henry C. Frojen	Oakes
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	Edward Leno	Tuttle
36.	McIntosh-Logan	Robert Greiser	Wishek
37.	Pt. Richland	Joseph A. Reinke	Hankinson
38.	Pt. Barnes	Melvin Olson	Nome
39.	Billings, Bowman, Golden Valley and Slope	Gust Wog	Belfield
40.	Burke-Divide	R. H. Lynch	Fortuna
41.	McKenzie	Hjalmer Nelson	Schafer
42.	Pierce	Knut Oksendahl	Rugby
43.	Renville	Reinhart Krenz	Sherwood
44.	Mountrail	Axel Olson	Parshall
45.	Williams	P. I. Dahlen	Williston
46.	McLean	E. C. Stucke	Garrison
47.	Grant-Sioux	William Kamrath	Leith
48.	Mercer, Oliver and Dunn	Harry Semerad	Dickinson
49.	Adams-Hettinger	P. A. Peterson	Reeder

## MEMBERS OF HOUSE, 1945

Dist. No.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
28	Acheson, S. J.	Westhope	Farmer	Married	Minnesota	1883	1945
7	Allen, A. M.	Thompson	Farmer	Married	Michigan	1896	1943-44-45
42	Allen, George	Pleasant Lake	Farmer	Married	Missouri	1871	1939-41-43-44-45
41	Anderson, Bernt	Charlson	Farmer	Married	Norway	1886	1937-39-41-43-44-45
23	Arndt, Carl F.	Streeter	Lumberman	Married	Wisconsin	1892	1941-43-44-45
8	Bagge, Edwin L.	Cummings	Farmer	Married	Illinois	1894	1943-44-45
26	Baumgartner, John J.	Strasburg	Farmer	Married	Russia	1877	1943-44-45
34	Belzer, L. W. (Roy)	Balfour	Farmer	Married	Iowa	1894	1939-41-43-44-45
29	Benno, A. W.	Minot	Farmer	Married	Minnesota	1888	1937-39-41-43-44-45
9.	Bergesen, A. R.	Fargo	Lawyer	Married	Illinois	1890	1939-41-43-44-45
45	Bjella, Asle	Epping	Blacksmith	Married	Norway	1887	1941-43-44-45
22	Blair, D. S.	Maza	Farmer	Married	Ontario	1881	1937-39-41-43-44-45
5.	Boulden, K. L.*	Larimore	Farmer	Married	Wisconsin	1879	1939-41-43-44-45
11	Bolmeier, Wesley L.	Erie	Merchant	Married	North Dakota	1902	1939-41-43-44-45
19	Boucher, Henri	Rolette	Farmer	Married	Quebec	1887	1945
9	Brady, John I.	Fargo	Automobile Dealer	Married	Missouri	1889	1945
48	Bubel, Walter	Center	Farmer	Married	North Dakota	1903	1941-43-44-45
40	Bureau, Harold	Larson	Farmer	Married	North Dakota	1911	1943-44-45
25	Bymers, C. H.	Ellendale	Farmer	Married	Wisconsin	1890	1941-43-44-45
18	Callahan, L. E.	Munich	Banker	Married	North Dakota	1890	1943-44-45
4	Collette, Wilfred	Grafton	Farmer	Married	North Dakota	1895	1941-43-44-45
18	Crockett, Wm.	Wales	Farmer	Married	North Dakota	1894	1931-33-35-39-41-43-44-45
1	Dalzell, Alex	Walhalla	Farmer	Married	North Dakota	1894	1935-37-39-41-43-44-45
16	Devlin, T. V.	Finley	Farmer-Merchant	Married	North Dakota	1880	1939-41-43-44-45

\*Deceased.

## MEMBERS OF HOUSE, 1945—(Continued)

Dist. No.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
11	Dittmer, G. R.	Durbin	Farmer	Married	North Dakota	1887	1945
23	Drawz, C. D.	Jamestown	Farmer	Married	Minnesota	1884	1945
41	Drovdal, Iver	Arnegard	Farmer	Single	Norway	1880	1941-43-44-45
23	Ekren, H. M.	Kensal	Farmer	Married	Norway	1897	1943-44-45
35	Engel, George	McClusky	Farmer	Married	Russia	1882	1945
45	Esterby, Lloyd	Appam	Farmer	Single	North Dakota	1910	1945
27	Falconer, Wm. B.	Bismarck	Farmer	Married	North Dakota	1889	1933-41-43-44-45
9	Fitch, K. A.	Fargo	Insurance Broker	Married	North Dakota	1889	1931-33-37-39-41-43-44-45
27	Fleck, John R.	Bismarck	Automobiles	Married	North Dakota	1900	1941-43-44-45
45	Forseth, S. A.	Williston	Farmer	Married	Minnesota	1907	1943-44-45
35	Frank, Gottlieb	Kief	Farmer	Single	North Dakota	1904	1945
28	Fraser, Duncan	Omeme	Farmer	Married	North Dakota	1890	1939-41-43-44-45
16	Fuglestad, Bjorn	Cooperstown	Farmer	Single	North Dakota	1894	1933-39-41-43-44-45
13	Gainor, Mal	DeLamere	Farmer	Married	Minnesota	1875	1939-41-43-44-45
25	Graham, F. J.	Ellendale	Lawyer	Married	Michigan	1881	1943-44-45
19	Grenier, Simeon	Thorne	Farmer	Married	North Dakota	1889	1945
36	Haag, Ed	Fredonia	Farmer	Single	North Dakota	1901	1939-41-43-44-45
1	Halcrow, John	Bowesmont	Farmer	Married	Shetland Isles	1872	1921-25-27-29-31-43-44-45
34	Halvorson, Andrew	Upham	Farmer	Married	North Dakota	1903	1939-41-43-44-45
46	Haugen, Donnell	Roseglen	Farmer	Married	North Dakota	1907	1941-43-44-45
29	Haugland, Brynhild	Minot	Farmer	Single	North Dakota	1905	1939-41-43-44-45
40	Heckman, J. H.	Alkabo	Farmer	Married	Canada	1879	1939-41-43-44-45
49	Hegge, Elmer	New England	Farmer	Married	North Dakota	1897	1943-44-45
38	Herk, Arthur A.	Fingal	Farmer	Married	North Dakota	1905	1945
17	Hildre, Olaf	Dahlen	Retired Merchant	Married	Norway	1876	1943-44-45

## MEMBERS OF HOUSE, 1945—(Continued)

Dist. No.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
20	Hofstrand, C. H.	Churchs Ferry	Veterinary	Married	North Dakota	1890	1937-39-41-43-44-45
39	Hogboom, M. B.	Alpha	Farmer	Widower	Minnesota	1870	1941-43-44
29	Hovey, Dave	Minot	Supt. of Parks	Married	North Dakota	1905	1943-44-45
48	Isaak, Gottlieb	Dodge	Farmer	Married	South Dakota	1883	1929-1929-31-33-35-45 Senate 1939-41
46	Jennings, J. W.	Washburn	Stock Farmer	Married	Iowa	1884	1941-43-44-45
9	Johnson, Arthur C.	Fargo	Contractor	Married	North Dakota	1891	1933-37-39-41-43-44-45
12	Johnson, Vernon M.	Wahpeton	Lawyer	Married	North Dakota	1910	1941-43-44-45
13	Klefstad, Gilman	Forman	Banker	Married	South Dakota	1897	1945
22	Langley, E. J.	Rock Lake	Implement Dealer	Married	Minnesota	1884	1941-43-44-45
33	Larson, Morris	Heimdal	Farmer	Married	North Dakota	1895	1941-43-44-45
21	Leet, Louis	Webster	Farmer	Married	North Dakota	1890	1943-44-45
3	Levin, Palmer	Park River	Farmer	Married	North Dakota	1893	1935-37-39-41-43-44-45
3	Lillehaugen, M. T.	Brocket	Farmer	Married	Norway	1881	1927-29-33-41-43-44-45
40	Lindberg, Frank	Lostwood	Farmer	Married	North Dakota	1907	1945
12	Luick, A. W.	Fairmount	Farmer	Married	Iowa	1892	1945
17	Lysne, Ole	Pekin	Farmer	Widower	North Dakota	1884	1945
8	McInnes, H. W.	Kelso	Farmer	Single	North Dakota	1885	1933 to 1945
47	Maher, James	Morristown, S. D.	Farmer	Widower	Illinois	1896	1945
18	Moe, Peter	Osnabrock	Farmer	Widower	Norway	1871	1939-41-43-44-45
44	Moerke, Albert	Van Hook	Farmer	Married	Germany	1884	1945
44	Mollet, J. N.	Powers Lake	Farmer	Married	Missouri	1884	1939-41-43-44-45
34	Monson, Theodore	Bergen	Farmer	Married	North Dakota	1905	1943-44-45
30	Mork, Andrew C.	Mandan	Farmer	Married	Norway	1886	1945
2	Mortenson, Emanuel	Kenmare	Farmer	Married	North Dakota	1904	1943-44-45



## MEMBERS OF HOUSE, 1945—(Continued)

Dist. No.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
32	Nystrom, A. H.	Sheyenne	Farmer	Married	North Dakota	1898	1939-41-43-44-45
10	Ohnstad, Manfred	West Fargo	Lawyer	Married	North Dakota	1908	1941-43-44-45
15	Olson, Curtis	Valley City	Service Station	Married	North Dakota	1908	1941-43-44-45
39	Olson, C. T.	Bowman	Farmer	Married	Wisconsin	1884	1933-37-41-43-44-45
43	Ostgulen, Olaf	Donnybrook	Farmer	Married	Norway	1879	1939-43-44-45
10	Pyle, Kenneth K.	West Fargo	Farmer	Married	North Dakota	1899	1943-44-45
20	Rohrer, I. B.	Churchs Ferry	Farmer	Married	Pennsylvania	1886	1943-44-45
48	Sailer, Edwin G.	Stanton	Gas, Oil, Farming	Married	North Dakota	1901	1943-44-45
24	Sandness, A. J.	LaMoure	Farmer	Married	North Dakota	1894	1941-43-44-45
6	Saumur, Georeg H.	Grand Forks	Farmer	Married	North Dakota	1892	1935 to 1945
33	Schimke, Calvin	Harvey	Farmer	Married	North Dakota	1899	1937-39-45
46	Schlafmann, George J.	Turtle Lake	Farmer	Married	North Dakota	1903	1945
31	Schmalenberger, A. H.	Hebron	Farmer	Married	North Dakota	1899	1943-44-45
36	Schmidt, Anton J.	Napoleon	Farmer	Married	North Dakota	1902	1945
30	Schmidt, Matt	Flasher	Farmer	Married	North Dakota	1892	1945
31	Schnell, Ray	Dickinson	Farmer	Married	North Dakota	1893	1935-43-44-45
49	Schwartz, George	Mott	Farmer	Married	South Dakota	1894	1939-41-43-44-45
47	Seibel, Fred	Elgin	Farmer	Married	Illinois	1897	1935-37-45
27	Sellens, W. E.	Bismarck	Farmer	Married	Missouri	1876	1939-41-43-44-45
14	Severson, H. G.	Ft. Ransom	Farmer	Married	Rhode Island	1896	1937 to 1945
32	Sharpe, A. I.	Glenfield	Grain and Lumber	Married	Norway	1886	1939-41-43-44-45
24	Shockman, Zack	Berlin	Farmer	Widower	Minnesota	1879	1935-45
21	Skaar, Frithjof	Hampden	Farmer	Married	North Dakota	1893	1945
29	Smart, W. M.	Minot	Hotel Proprietor	Married	Wisconsin	1879	1941-45
28	Stair, Arlan	Newburg	Farmer	Married	North Dakota	1900	1943-44-45

## MEMBERS OF HOUSE, 1945—(Continued)

Dist. No.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
14	Stanley, Mark	Lisbon	Farmer	Married	Iowa	1880	1945
31	Sticka, Leo	New England	Farmer	Married	North Dakota	1910	1943-44-45
39	Still, J. M.	Beach	Farmer	Widower	South Dakota	1874	1945
21	Stormon, Harry	Devils Lake	Farmer	Married	North Dakota	1892	1939-41-43-44-45
1	Symington, Earl D.	Neché	Farmer	Married	North Dakota	1893	1933 to 1941-45
16	Thompson, Harry L.	Cooperstown	Printer	Married	North Dakota	1894	1945
37	Thompson, Ray	Walcott	Farmer	Married	North Dakota	1911	1945
42	Tuff, William B.	Barton	Farmer	Married	Canada	1880	1935 to 1945
8	Wambheim, Harvey G.	Hatton	Merchant	Married	North Dakota	1897	1945
26	Welk, Joseph	Hague	Farmer	Married	Russia	1893	1943-44-45
23	Westby, P. G.	Jamestown	R. R. Conductor	Married	Norway	1889	1939-41-43-44-45
36	Wolf, Ben J.	Zeeland	Service Station	Married	North Dakota	1907	1941-43-44-45
30	Wolf, Richard E.	New Salem	Farmer	Married	Germany	1885	1939-41-43-44-45
37	Wollitz, Chas.	Lidgerwood	Farmer	Married	Iowa	1884	1945
9	Yirchott, C. T.	Fargo	Contractor	Married	Germany	1883	1945

## ERRATA

Page 49, correct the spelling of "Hovey".

Page 59, 60, 61, correct the spelling of "Halvorson".

Page 118, change "John Halcrow" to "Rep. Halcrow".

Page 353, line 40, insert the words "of Cass" after the words "Rep. Johnson".

Page 439, line 28, change "minority" to "majority".

Page 527, strike out line 25.

Page 599, insert line 23 after line 20.

Page 724, line 14, change the figure "215" to "177".

Page 753, line 17, change "Senate Bill No. 122" to "Senate Bill No. 48".

Page 881, line 32, change "House Bill No. 202" to "Senate Bill No. 202".

Page 960, line 43, insert the words "of Grand Forks" after "Rep. Allen".

Page 1008, change the name "Al Johnson" to "A. C. Johnson".

Page 1059, line 37, insert the words "of Morton" after the words "Rep Wolf".

Page 1098, line 30, change the figure "288" to "228".

Page 1158, line 15, correct the spelling of the word "Sticka".

Page 1198 and 1199, Expunge the report of the "Signing of Bills".

Page 1208, line 18, change the words "Mr. Speaker:" to "Mr. President:".

# Journal of the House



## Twenty-ninth Legislative Assembly

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

Bismarck, January 2, 1945

At the hour of twelve o'clock, meridian, the second day of January, 1945, being the day and hour designated by law for the convening of the Legislative Assembly of the State of North Dakota, the members-elect of the House of Representatives assembled in the House Chamber in the State Capitol Building at Bismarck, North Dakota, and were called to order by 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, being the list of the qualified members as certified by the Secretary of State, was read:

#### DEPARTMENT OF STATE

Bismarck, January 2, 1945

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

Dear Sir:

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

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

Dist.	County	Name	Address
11. Pt. Cass		Wesley L. Bolmeier	Erie
		G. R. Dittmer	Durbin
12. Pt. Richland		Vernon M. Johnson	Wahpeton
		A. W. Luick	Fairmount
13. Sargent		Mal Gainor	Milnor
		G. A. Klefstad	Forman
14. Ransom		Mark Stanley	Lisbon
		H. G. Severson	Kathryn
15. Pt. Barnes		Curtis Olson	Valley City
16. Griggs-Steele		Thomas V. Devlin	Hope
		Bjorn Fuglestad	Cooperstown
		Harry L. Thompson	Cooperstown
17. Nelson		Olof Hildre	Dahlen
		Ole Lysne	Pekin
18. Cavalier		L. E. Callahan	Munich
		W. M. Crockett	Wales
		Peter Moe	Osnabrock
19. Rolette		Henri Boucher	Rolette
		Simeon Grenier	Thorne
20. Benson		C. H. Hofstrand	Leeds
		I. B. Rohrer	Churchs Ferry
21. Ramsey		Louis Leet	Webster
		Frithjof Skaar	Hampden
		Harry Stormon	Devils Lake
22. Towner		D. S. Blair	Maza
		E. J. Langley	Rock Lake
23. Stutsman		C. F. Arnot	Streeter
		C. D. Drawz	Jamestown
		H. M. Ekren	Kensal
		P. G. Westby	Jamestown
24. LaMoure		A. J. Sandness	LaMoure
		Zack Shockman	Berlin
25. Dickey		Cornelius Bymers	Ellendale
		F. J. Graham	Ellendale
26. Emmons		John J. Baumgartner	Strasburg
		Joseph Welk	Hague
27. Burleigh		William B. Falconer	Bismarck
		John R. Fleck	Bismarck
		Walter E. Sellens	Bismarck
28. Bottineau		S. J. Acheson	Westhope
		Duncan Fraser	Omeme
		Arlan Stair	Newburg
29. Pt. Ward		A. W. Benno	Minot
		Brynhild Haugland	Minot
		Dave Hovey	Minot
		W. M. Smart	Minot
30. Morton		Andrew C. Mork	Mandan
		Matt M. Schmidt	Flasher
		Richard E. Wolf	New Salem
31. Stark		A. H. Schmalenberger	Hebron
		Ray Schnell	Dickinson
		Leo Sticka	New England
32. Eddy-Foster		A. H. Nystrom	Sheyenne
		A. I. Sharpe	Glenfield

Dist.	County	Name	Address
33.	Wells	Morris Larson	Fessenden
		Calvin Schimke	Harvey
34.	McHenry	L. W. Belzer	Balfour
		Andrew Halvorson	Upham
		Theodore Monson	Bergen
35.	Kidder-Sheridan	George Engel	McClusky
		Gottlieb Frank	Kief
36.	McIntosh-Logan	Ed Haag	Fredonia
		Anton J. Schmidt	Napoleon
		Ben J. Wolf	Zeeland
37.	Pt. Richland	Ray Thompson	Walcott
		Chas. Wollitz	Lidgerwood
38.	Pt. Barnes	Arthur A. Herk	Fingal
39.	Billings, Bowman, Golden Valley and Slope	M. B. Hogoboom	Alpha
		C. T. Olson	Bowman
		J. M. Still	Beach
40.	Burke-Divide	Harold Burau	Larson
		J. H. Heckman	Alkabo
		Frank Lindberg	Lostwood
41.	McKenzie	Bernt Anderson	Charlson
		Iver Drovdal	Arnegard
42.	Pierce	George Allen	Pleasant Lake
		Wm. H. Tuff	Barton
43.	Renville	Olaf Ostgulen	Donnybrook
44.	Mountrail	Albert Moerke	Van Hook
		J. N. Mollet	Powers Lake
45.	Williams	Asle Bjella	Epping
		Lloyd Esterby	Appam
		S. A. Forseth	Williston
46.	McLean	Donnell Haugen	Roseglen
		J. W. Jennings	Washburn
		Geo. J. Schlafmann	Turtle Lake
47.	Grant-Sioux	James J. Maher	Morristown, S. Dak.
		Fred Seibel	Elgin
48.	Mercer, Oliver and Dunn	Walter Bubel	Center
		Gottlieb Isaak	Dodge
		Edwin G. Sailer	Stanton
49.	Adams-Hettinger	Elmer Hegge	New England
		George Schwartz	Mott

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

In Witness Whereof, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 2nd day of January, A. D. 1945.

THOMAS HALL,  
Secretary of State

The roll was called and there were 111 members present and two absent, so a quorum was declared present.

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

The Chief Clerk appointed Reps. Fitch, Bymers and Heckman to escort Chief Justice Christianson to the rostrum.

Rep. Fitch moved that the House stand recessed for ten minutes, which motion prevailed.

House called to order by the Chief Clerk.

Rep. Fitch: Mr. Chief Clerk, the Chief Justice of the Supreme Court of North Dakota, Judge Christianson.

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

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

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

Rep. Haugland: The leadership that can be exerted by the Speaker of this House makes it one of the most important positions in the state. The man who fills it properly must have certain definite qualifications. He must be a man of ability. He must have experience and above all he must be honest, fair and sincere. The man whose name I am about to place in nomination possesses all of these qualifications to a marked degree. He is able—as all of you who have served with him in this House well know. He is fair to all members and to all factions. He is experienced. He knows the wants, the needs, the desires of our people for he is one of them. He was a farm boy. He worked his way through school, graduating from the University law school. He has been a practicing attorney for over 25 years, six of which he served as state's attorney of his home county, this experience giving him further insight into the needs and problems of our people and our communities. He has served as a valued member of this House since 1939. In the 1943 session and again in the special session of 1944 he served as majority floor leader, in which capacity he repeatedly demonstrated his ability, integrity and fairness. I deem it an honor and a privilege to place in nomination as candidate for Speaker of this House the name of a fine gentleman, Mr. A. R. Bergesen of Cass County.

Rep. Schmalenberger: Mr. Chief Clerk and fellow members of the House—I am also speaking for my colleague from Stark County, Rep. Sticka and at his request, when I place in nomination the name of a man we have known all our lives. A man who has a large acquaintance over the state, a man who has spent all his life in the basic industry in this state which is livestock raising and farming.

He will deal fairly and justly with all persons and factions. He has built a record for himself with all people that he has dealt with, both in his personal and political life that any man could envy.

He has no political ambitions to use this position as a stepping-stone to bigger things in the political field. His interests are solely in making this state a better place to live in through honest and efficient dealings in public office.

It is with great pleasure that I am placing in nomination for Speaker of the Twenty-ninth Legislative Assembly the name of Rep. Ray Schnell of Stark County.

Rep. Graham: I desire to say a few words on behalf of the man who has just been placed in nomination by his colleague.

Mr. Schnell is a young man, he has a family of eleven boys and girls, one boy is in the army, another slated to go, so he is doing his part not only for the state at home but for his country abroad.

Mr. Schnell has a knowledge of the needs of the people of North Dakota. He has been down on the verge of poverty the same as many of the people in the state so he knows the needs of the people. He has a sympathetic way in that regard. He served three years on the recent program of the Triple-A so he knows the conditions of all parts of the state.

Now, Mr. Bergesen is a very fine gentleman, the lady in introducing him said he grew up a farm boy but we have a candidate here who not only grew up on a farm but has always lived on the farm. Two years ago we had a lawyer for Speaker and it would only be fair to have a farmer in as Speaker this year so as to equalize things. There are just four lawyers in the House this year and if they have the Speaker two years they are having their share and more of being Speaker of the House.

Rep. Bubel: I consider it a privilege to second the nomination of Rep. Schnell. North Dakota is an agricultural state and Mr. Schnell has grown up in the western part of our state. As Mr. Graham has said, we should have a farmer and not an attorney. He is serving Stark County for the third time, this proves the confidence the people in his home county place in him and I feel we can make no mistake in placing him as Speaker.

Rep. Johnson of Richland: I take pleasure in seconding the nomination of Mr. Bergesen. Coming from his neighboring county—Richland—I have had an opportunity to know and observe him as a private citizen and as a public official. He enjoys an enviable reputation throughout the State in his profession—the practice of law.

He has always worked unselfishly in the best interests of his local community, his county and his state. As state's attorney of Cass County he established an outstanding record of ability, integrity and service. We who have served with him in the House have always admired him for working tirelessly, fearlessly and honorably in the best interests of good government. We know he would make a worthy successor to our last Speaker, Mr. Beede.

A good Speaker must be fair, impartial, efficient and must conduct the affairs of his office with great dispatch. In the trying days ahead we will need a Speaker of proven ability. I know of no man in this House more abundantly possessed of all of the qualities which are so essential in a good Speaker than Mr. Bergesen.

Rep. Bolmeier: I rise for the purpose of seconding the nomination of Rep. Bergesen for Speaker of the House. I was fortunate in 1939 to come to this body and serve with Mr. Bergesen as our first term as Representatives from Cass County. Since then you have seen Mr. Bergesen as a member



of the House and as floor leader. In both capacities he rendered valuable service to this body and to the State of North Dakota and I consider it a privilege to second the nomination of Rep. Bergesen as Speaker for this session of the Legislature.

Rep. Saumur: It has been both an honor and a privilege to have served with a man who has such fine qualities as does Rep. Bergesen. By his work in this House he has shown that he is capable, honest and sincere. Therefore, it is indeed a great privilege for Grand Forks County to second the nomination of Rep. Bergesen for the Speakership of this House.

Rep. Crockett: It is not very often that I agree with a lawyer but I have just heard Judge Graham say it is time for a farmer to be the Speaker of this House. The lawyers are something like doctors, once in a while you have to use them. It has never been my privilege to use a lawyer because before I will pay a lawyer I will settle with the other fellow because I would be licked anyway before I begin. You know by our constitution we have to have a lawyer for Attorney General and if you will look back you will see that two out of three times we have had a lawyer for Governor. In North Dakota we always have about three lawyers in the Senate and Congress.

It was my privilege when I was Speaker of this House the first session in this new capitol to learn to know Ray Schnell. He was just a young fellow, he came in and made an enviable record and when he came back two years ago he made still a better record. Now the people of North Dakota have elected a dirt farmer for Governor and now let's put in a farmer for Speaker of the House.

Rep. Hofstrand: As President of the North Dakota Live-stock Breeders' Association, it is a great privilege to second the nomination of one of the greatest livestock men we have in the State of North Dakota. I think we are representing one of the largest industries we have in the state if we put Ray Schnell in as Speaker.

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

#### ROLL CALL

The roll was called and the Chief Clerk announced that there were 55 votes for Rep. Bergesen and 55 votes for Rep. Schnell, one member absent and not voting and the two candidates passing.

Those voting for Rep. Bergesen were:

Allen, Grand Forks	Gainor	Pyle
Allen, Pierce	Halcrow	Sailer
Arndt	Haugland	Sandness
Bagge	Herk	Saumur
Benno	Hildre	Sellens
Bjella	Hogoboom	Severson
Blair	Hovey	Sharpe
Bolmeier	Johnson, Cass	Skaar
Bouden	Johnson, Richland	Smart
Brady	Klefstad	Stanley
Bymers	Langley	Still
Callahan	Leet	Stormon
Collette	Luick	Symington

Dalzell	Lysne	Thompson, Griggs
Drawz	McInnes	Wambheim
Ekren	Moe	Westby
Fitch	Nystrom	Wollitz
Fleck	Olson, Barnes	Yirchott
Fuglestad		

Those voting for Rep. Schnell were:

Acheson	Haag	Ohnstad
Anderson	Halvorson	Ostgulen
Baumgartner	Haugen	Rohrer
Belzer	Heckman	Schimke
Boucher	Hegge	Schlafmann
Bubel	Hofstrand	Schmalenberger
Burau	Isaak	Schmidt, Logan
Crockett	Jennings	Schmidt, Morton
Devlin	Larson	Schwartz
Dittmer	Levin	Seibel
Drovdal	Lillehaugen	Shockman
Engel	Lindberg	Stair
Esterby	Maher	Sticka
Falconer	Moerke	Thompson, Rich'nd
Forseth	Mollet	Tuff
Frank	Monson	Welk
Fraser	Mork	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Grenier		

Passed:

Bergesen Schnell

Absent and not voting:

Olson, Bowman

Rep. Fitch requested a verification of the roll call, which request was granted with no change in the vote.

Rep. Fitch moved that the House re-ballot on the same two candidates, which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and that the two who were candidates on the first ballot be candidates on the second ballot, which motion prevailed.

#### ROLL CALL

The roll was called and the Chief Clerk announced that there were 55 votes for Rep. Bergesen and 55 votes for Rep. Schnell, one member absent and not voting and the two candidates passing.

Those voting for Rep. Bergesen were:

Allen, Grand Forks	Gainor	Pyle
Allen, Pierce	Halcrow	Sailer
Arndt	Haugland	Sandness
Bagge	Herk	Saumur
Benno	Hildre	Sellens
Bjella	Hogoboom	Severson
Blair	Hovey	Sharpe
Bolmeier	Johnson, Cass	Skaar
Boulden	Johnson, Richland	Smart
Brady	Klefstad	Stanley
Bymers	Langley	Still
Callahan	Leet	Stormon
Collette	Luick	Symington

Dalzell	Lysne	Thompson, Griggs
Drawz	McInnes	Wambheim
Ekren	Moe	Westby
Fitch	Nystrom	Wollitz
Fleck	Olson, Barnes	Yirchott
Fuglestad		

Those voting for Rep. Schnell were:

Acheson	Haag	Ohnstad
Anderson	Halvorson	Ostgulen
Baumgartner	Haugen	Rohrer
Belzer	Heckman	Schimke
Boucher	Hegge	Schlafmann
Bubel	Hofstrand	Schmalenberger
Burau	Isaak	Schmidt, Logan
Crockett	Jennings	Schmidt, Morton
Devlin	Larson	Schwartz
Dittmer	Levin	Seibel
Drovdal	Lillehaugen	Shockman
Engel	Lindberg	Stair
Esterby	Maher	Sticka
Falconer	Moerke	Thompson, Richl'nd
Forseth	Mollet	Tuff
Frank	Monson	Welk
Fraser	Mork	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Grenier		

Passed:

Bergesen Schnell

Absent and not voting:

Olson, Bowman

Rep. Graham moved that the House recess until 3:00 o'clock, which motion was seconded.

Rep. Johnson of Cass offered as a substitute motion that the House proceed with the third ballot on the same two candidates, which motion was seconded.

Rep. Graham moved that the motion of Rep. Johnson of Cass be laid on the table. On a rising vote there were 55 for and 55 opposed to the motion of Rep. Graham.

Rep. Fitch demanded a roll call on the motion of Rep. Graham.

#### ROLL CALL

The question being on the motion of Rep. Graham, the roll was called and there were ayes, 55; nays, 55; absent and not voting, 1; passed, 2.

Those voting in the affirmative were:

Acheson	Haag	Ohnstad
Anderson	Halvorson	Ostgulen
Baumgartner	Haugen	Rohrer
Belzer	Heckman	Schimke
Boucher	Hegge	Schlafmann
Bubel	Hofstrand	Schmalenberger
Burau	Isaak	Schmidt, Logan
Crockett	Jennings	Schmidt, Morton
Devlin	Larson	Schwartz
Dittmer	Levin	Seibel
Drovdal	Lillehaugen	Shockman

Engel	Lindberg	Stair
Esterby	Maher	Sticka
Falconer	Moerke	Thompson, Richl'nd
Forseth	Mollet	Tuff
Frank	Monson	Welk
Fraser	Mork	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Grenier		

Those voting in the negative were:

Allen, Grand Forks	Gainor	Pyle
Allen, Pierce	Halcrow	Sailer
Arndt	Haugland	Sandness
Bagge	Herk	Saumur
Benno	Hildre	Sellens
Bjella	Hogoboom	Severson
Blair	Hovey	Sharpe
Bolmeier	Johnson, Cass	Skaar
Boulden	Johnson, Richland	Smart
Brady	Klefstad	Stanley
Bymers	Langley	Still
Callahan	Leet	Stormon
Collette	Luick	Symington
Dalzell	Lysne	Thompson, Griggs
Drawz	McInnes	Wambheim
Ekren	Moe	Westby
Fitch	Nystrom	Wollitz
Fleck	Olson, Barnes	Yirchott
Fuglestad		

Passed:

Bergesen                      Schnell

Absent and not voting:

Olson, Bowman

So the motion was lost.

Rep. Johnson of Cass withdrew his motion with the consent of the second.

Rep. Graham withdrew his motion with the consent of the second.

Rep. Fitch moved that the House proceed with one more roll call, which motion prevailed.

#### ROLL CALL

The roll was called and the Chief Clerk announced that there were 55 votes for Rep. Bergesen and 55 votes for Rep. Schnell, one member absent and not voting and the two candidates passing.

Those voting for Rep. Bergesen were:

Allen, Grand Forks	Gainor	Pyle
Allen, Pierce	Halcrow	Sailer
Arndt	Haugland	Sandness
Bagge	Herk	Saumur
Benno	Hildre	Sellens
Bjella	Hogoboom	Severson
Blair	Hovey	Sharpe
Bolmeier	Johnson, Cass	Skaar
Boulden	Johnson, Richland	Smart
Brady	Klefstad	Stanley
Bymers	Langley	Still

Callahan	Leet	Stormon
Collette	Luick	Symington
Dalzell	Lysne	Thompson, Griggs
Drawz	McInnes	Wambheim
Ekren	Moe	Westby
Fitch	Nystrom	Wollitz
Fleck	Olson, Barnes	Yirchott
Fuglestad		

Those voting for Rep. Schnell were:

Acheson	Haag	Ohnstad
Anderson	Halvorson	Ostgulen
Baumgartner	Haugen	Rohrer
Belzer	Heckman	Schimke
Boucher	Hegge	Schlafmann
Bubel	Hofstrand	Schmalenberger
Bureau	Isaak	Schmidt, Logan
Crockett	Jennings	Schmidt, Morton
Devlin	Larson	Schwartz
Dittmer	Levin	Seibel
Drovdal	Lillehaugen	Shockman
Engel	Lindberg	Stair
Esterby	Maher	Sticka
Falconer	Moerke	Thompson, Richl'nd
Forseth	Mollet	Tuff
Frank	Monson	Welk
Fraser	Mork	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Grenier		

Passed:

Bergesen Schnell

Absent and not voting:

Olson, Bowman

Rep. Graham moved that the House stand recessed until 3:00 p. m., which motion prevailed.

The House was called to order at 3:00 p. m. by the Chief Clerk.

Rep. Johnson of Cass moved that we proceed with another ballot on the same two candidates for Speaker, which motion prevailed.

#### ROLL CALL

The roll was called and the Chief Clerk announced that there were 55 votes for Rep. Bergesen and 55 votes for Rep. Schnell, one member absent and not voting and the two candidates passing.

Those voting for Rep. Bergesen were:

Allen, Grand Forks	Gainor	Pyle
Allen, Pierce	Halcrow	Sailer
Arndt	Haugland	Sandness
Bagge	Herk	Saumur
Benno	Hildre	Sellens
Bjella	Hogoboom	Severson
Blair	Hovey	Sharpe
Bolmeier	Johnson, Cass	Skaar
Boulden	Johnson, Richland	Smart
Brady	Klefstad	Stanley
Bymers	Langley	Still

Callahan	Leet	Stormon
Collette	Luick	Symington
Dalzell	Lysne	Thompson, Griggs
Drawz	McInnes	Wambheim
Ekren	Moe	Westby
Fitch	Nystrom	Wollitz
Fleck	Olson, Barnes	Yirchott
Fuglestad		

Those voting for Rep. Schnell were:

Acheson	Haag	Ohnstad
Anderson	Halvorson	Ostgulen
Baumgartner	Haugen	Rohrer
Belzer	Heckman	Schimke
Boucher	Hegge	Schlafmann
Bubel	Hofstrand	Schmalenberger
Burau	Isaak	Schmidt, Logan
Crockett	Jennings	Schmidt, Morton
Devlin	Larson	Schwartz
Dittmer	Levin	Seibel
Drovdal	Lillehaugen	Shockman
Engel	Lindberg	Stair
Esterby	Maher	Sticka
Falconer	Moerke	Thompson, Rich'd
Forseth	Mollet	Tuff
Frank	Monson	Welk
Fraser	Mork	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Grenier		
Passed:		
Bergesen	Schnell	

Absent and not voting:

Olson, Bowman

Rep. Graham moved that the House stand recessed until 1:30 o'clock tomorrow, which motion prevailed and the House stood recessed.

W. M. SMART, Chief Clerk

Bismarck, January 3, 1945

The House reconvened at 1:30 p. m., pursuant to recess taken.

The Chief Clerk advised the House that oaths of office had now been filed by all members of the Twenty-ninth Legislative Assembly.

On roll call 113 members were present.

Rep. Johnson of Cass moved that the House do now proceed to ballot on the two candidates previously nominated for Speaker, which motion prevailed.

ROLL CALL

The question being on the election of a Speaker, the roll was called.

Those voting for Rep. Bergesen were:

Allen, Grand Forks	Gainor	Pyle
Allen, Pierce	Halcrow	Sailer
Arndt	Haugland	Sandness
Bagge	Herk	Saumur
Benno	Hildre	Sellens
Bjella	Hogoboom	Severson

Blair	Hovey	Sharpe
Bolmeier	Johnson, Cass	Skaar
Boulden	Johnson, Richland	Smart
Brady	Klefstad	Stanley
Bymers	Langley	Still
Callahan	Leet	Stormon
Collette	Luick	Symington
Dalzell	Lysne	Thompson, Griggs
Drawz	McInnes	Wambheim
Ekren	Moe	Westby
Fitch	Nystram	Wollitz
Fleck	Olson, Barnes	Yirchott
Fuglestad	Olson, Bowman	

Those voting for Rep. Schnell were:

Acheson	Haag	Ohnstad
Anderson	Halvorson	Ostgulen
Baumgartner	Haugen	Rohrer
Belzer	Heckman	Schimke
Boucher	Hegge	Schlafmann
Bubel	Hofstrand	Schmalefberger
Bureau	Isaak	Schmidt, Logan
Crockett	Jennings	Schmidt, Morton
Devlin	Larson	Schwartz
Dittmer	Levin	Seibel
Drovdal	Lillehaugen	Shockman
Engel	Lindberg	Stair
Esterby	Maher	Sticka
Falconer	Moerke	Thompson, Rich'nd
Forseth	Mollet	Tuff
Frank	Monson	Welk
Fraser	Mork	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Grenier		
Passed:		
Bergesen	Schnell	

So Rep. Bergesen was declared duly elected Speaker of the House.

Rep. Schnell moved that the vote by which Rep. Bergesen was elected Speaker of the House be made unanimous, which motion prevailed and Rep. Bergesen was unanimously elected.

Rep. Johnson of Cass moved that the Chief Clerk appoint a committee of three to escort the newly-elected Speaker to the rostrum, which motion prevailed.

The Chief Clerk appointed Reps. Johnson of Cass, Stormon and Hofstrand to escort the Speaker to the rostrum.

The oath of office was administered to Speaker Bergesen by the Chief Clerk.

Speaker Bergesen: Members of the House, you have extended to me not only a great honor but a great responsibility. I shall endeavor throughout the session to discharge that responsibility to the best of my ability and with fairness to all. I enter upon the duties of this office naturally with a great deal of feeling of humility. You have made me your servant and I am the servant of one and all of you regardless of your political faction and I hope that you will all feel that way and that by the close of the session you will have justification for that feeling.

I say I enter upon these duties with humility not only because of its responsibilities and the natural feeling of a human being of his own shortcomings but also because of the fine line of Speakers who have preceded me. We are going to operate this session under considerable handicaps. Two of our finest parliamentarians are not here. I refer, of course, to the venerable Late Twichell who rendered such a tremendous service to the State of North Dakota throughout a period of approximately thirty years devoting himself and being highly contented to render his service to the state as a member of this House—and I also refer to our Speaker of the last session, Mr. Ralph Beede. Those two gentlemen representing the two factions represented in the House, for both of whom we all have a great deal of love and respect.

I also feel humble because of the fact that I know that my opponent was a very worthy opponent and would have filled this office and discharged his responsibilities with dispatch and a credit to the House. He is a man for whom I have a great deal of respect. I might say I am quite attached to him. His good nature, his ability, his good sportsmanship is something that has appealed to all of us and he has shown that throughout this particular contest.

When it comes to the matter of the appointment of committees I hope you will appreciate the fact that I am not in the situation that we were in during the last session. I am in the situation that Speakers before 1943 were in, from that standpoint, representing one of the factions but in the appointment of members to the committees, I want you to know that it will be my desire so far as possible to carry out the wishes as may be expressed by the members of the House by the slips that you turn in. Of course, if the majority of you want to get on the same committees, that's impossible but I shall try to be fair with all of you and so far as possible respect your wishes.

I hope that it will be possible for us throughout this session to avoid as far as possible factional differences. We do realize that there has to be some, but I hope that we may subdue that to a very marked degree because we are here with a job to do. When we met in 1943 and when we met in the Special Session last March, this country was at war and we have the job—the people of the state expect us to do our part in getting done, but before that, and, so far as it is possible for the Legislature to do it, to do everything necessary to help win the war, that is our first job but we must also in this session look beyond the end of the war and prepare for the return of the young men and young women who are out in all parts of the world fighting our battles for us in order that the cause of democracy, that the cause of freedom and liberty may continue to exist not only here but throughout the countries of the world.

It will be up to us to see to it that when these folks return to the State of North Dakota, and we hope that most of them will return, that there are jobs here for them, that those who want to engage in farming, that it will be made possible for them to engage in that industry, the greatest industry we have in the state and above all that we shall maintain here the fundamental institutions and principles of democracy so that when they return they return to a state and to a country in which democracy still lives. I thank you one and all.



Rep. Schnell: I am going to thank you folks who have voted for me for Speaker. I feel that the majority should rule and they have spoken and have secured a brilliant man for Speaker of the House. I know he will be fair with all of us and do a good job. I want to assure our Speaker that I will do everything I can and I think I can speak for the rest of the minority faction in stating they will do likewise. We have a lot of big things to do in this session and I know our Speaker and all of you here have one thing in mind and that is to do a good job for the people of the state as well as the nation. You have relieved me of a great responsibility which I am grateful to you for. I feel that in the next sixty days, being that Mr. Bergesen is off the floor where he always interrupted me, I will be able to explain my vote and I hope he will give me that opportunity.

Rep. Graham: As minority floor leader I wish to express the same sentiment as has been expressed by Mr. Schnell. I can assure you that we will work with you as far as we consistently can. I also express the hope that you will not be down on the floor to oppose me so much.

Rep. Fitch placed in nomination the name of Kenneth Morgan as Chief Clerk of the House.

Rep. Falconer moved that the nominations be closed, which motion prevailed.

#### ROLL CALL

The question being on the election of Kenneth Morgan as Chief Clerk, the roll was called and there were ayes, 113; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sailer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur
Baumgartner	Heckman	Schimke
Belzer	Hegge	Schlafmann
Benno	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Logan
Blair	Hofstrand	Schmidt, Morton
Bolmeier	Hogoboom	Schnell
Boucher	Hovey	Schwartz
Boulden	Isaak	Seibel
Brady	Jennings	Sellens
Bubel	Johnson, Cass	Severson
Burau	Johnson, Richland	Sharpe
Bymers	Klefstad	Shockman
Callahan	Langley	Skaar
Collette	Larson	Smart
Crockett	Leet	Stair
Dalzell	Levin	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Richl'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim

Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Graham	Olson, Bowman	

So Kenneth Morgan was duly elected to serve as Chief Clerk of the Twenty-ninth Legislative Assembly.

The oath of office was administered to Kenneth Morgan by the Speaker.

Rep. Falconer placed in nomination the name of Mrs. Marie Tunell as Desk Reporter.

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

#### ROLL CALL

The question being on the election of Mrs. Marie Tunell as Desk Reporter, the roll was called and there were ayes, 109; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Grenier	Olson, Barnes
Allen, Grand Forks	Haag	Ostgulen
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Boulden	Isaak	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Bureau	Johnson, Richland	Shockman
Callahan	Klefstad	Skaar
Collette	Langley	Smart
Crockett	Larson	Stair
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	McInnes	Thompson, Rich'nd
Esterby	Maher	Tuff
Falconer	Moe	Wambheim
Fitch	Moerke	Welk
Fleck	Mollet	Westby
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fraser	Mortenson	Wollitz
Fuglestad	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker
Graham		

Absent and not voting:

Bymers                      Sailer                      Pyle  
Olson, Bowman

So Mrs. Marie Tunell was duly elected to serve as Desk Reporter.

Rep. Fitch moved that a vote of appreciation be extended to Rep. Smart who has served up to this time as Chief Clerk and that a committee of three be appointed to escort him to his chair as a member of this House, which motion prevailed.

The Speaker appointed Reps. Fitch, Crockett and Symington.

Rep. Smart: While the committee is coming to escort me to my seat as a member of this House I want to thank every member and employee of this House for the courtesies extended to me in the session of 1943 and the special session of 1944.

Rep. Schnell placed in nomination the name of Vic Gilbreath as Assistant Chief Clerk.

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

#### ROLL CALL

The question being on the election of Vic Gilbreath as Assistant Chief Clerk, the roll was called and there were ayes, 110; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Boulden	Isaak	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Burau	Johnson, Richland	Shockman
Callahan	Klefstad	Skaar
Collette	Langley	Smart
Crockett	Larson	Stair
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	McInnes	Thompson, Richl'nd
Esterby	Maher	Tuff
Falconer	Moe	Wambheim
Fitch	Moerke	Welk
Fleck	Mollet	Westby
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton

Fraser	Mortenson	Wollitz
Fuglestad	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker
Graham	Olson, Barnes	

Absent and not voting:

Bymers	Olson, Bowman	Sailer
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So Vic Gilbreath was duly elected Assistant Chief Clerk.

The oath of office was administered by the Speaker to Mrs. Marie Tunell, Desk Reporter, and Vic Gilbreath, Assistant Chief Clerk.

Rep. Blair placed in nomination the name of Fred Ingstad as Sergeant-at-Arms.

Rep. Wolf of McIntosh placed in nomination the name of John Feist, Jr., as Sergeant-at-Arms.

Rep. Bolmeier moved that the nominations be closed, which motion prevailed.

ROLL CALL

The roll was called and the Chief Clerk announced that there were 55 votes for Fred Ingstad and 55 votes for John Feist, Jr., and three members absent and not voting.

Those voting for Fred Ingstad were:

Allen, Grand Forks	Gainor	Pyle
Allen, Pierce	Halcrow	Sandness
Arndt	Haugland	Saumur
Bagge	Herk	Sellens
Benno	Hildre	Severson
Bjella	Hogoboom	Sharpe
Blair	Hovey	Skaar
Bolmeier	Johnson, Cass	Smart
Boulden	Johnson, Richland	Stanley
Brady	Klefstad	Still
Callahan	Langley	Stormon
Collette	Leet	Symington
Dalzell	Luick	Thompson, Griggs
Dittmer	Lysne	Wambheim
Drawz	McInnes	Westby
Ekren	Moe	Wollitz
Fitch	Nystrom	Yirchott
Fleck	Olson, Barnes	Mr. Speaker
Fuglestad		

Those voting for John Feist, Jr., were:

Acheson	Halvorson	Ostgulen
Anderson	Haugen	Rohrer
Baumgartner	Heckman	Schimke
Belzer	Hegge	Schlafmann
Boucher	Hofstrand	Schmalenberger
Bubel	Isaak	Schmidt, Logan
Burau	Jennings	Schmidt, Morton
Crockett	Larson	Schnell
Devlin	Levin	Schwartz
Drovdal	Lillehaugen	Seibel
Engel	Lindberg	Shockman
Esterby	Maher	Stair
Falconer	Moerke	Sticka
Forseth	Mollet	Thompson, Richl'nd
Frank	Monson	Tuff
Fraser	Mork	Welk

Graham	Mortenson	Wolf, McIntosh
Grenier	Ohnstad	Wolf, Morton
Haag		

Absent and not voting:

Bymers	Olson, Bowman	Sailer
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Rep. Johnson of Cass stated he wished to change his vote from Fred Ingstad to John Feist, Jr., for the purpose of reconsideration.

Rep. Haugen challenged the right of Rep. Johnson of Cass to change his vote in this instance.

The Speaker ruled in favor of Rep. Haugen.

Rep. Johnson of Cass changed his vote as originally cast before the roll call was announced by the Speaker.

Rep. Johnson of Cass moved that the Speaker appoint a committee of three to be known as the employment committee for the purpose of hiring all the other necessary help needed for this Twenty-ninth Legislative Assembly, which motion prevailed.

The Speaker appointed to serve on the Employment Committee Reps. Blair, Sailer and Devlin.

Rep. Fitch moved that the House defer action on the election of the Sergeant-at-Arms until the House convenes tomorrow.

A rising vote disclosed 52 voting for the motion and 56 voting against so the motion of Rep. Fitch was lost.

Rep. Haugen moved that we proceed to ballot on the election of the Sergeant-at-Arms and at the demand of Rep. Johnson of Cass that vote be taken under a Call of the House, Rep. Haugen included in his motion that the Speaker appoint a temporary Sergeant-at-Arms to act during the Call.

A Call of the House was granted and Mr. Albert Lindsay was appointed as temporary Sergeant-at-Arms and instructed to see that the doors were closed and all absent members brought into the House.

On roll call all members were present except Reps. Bymers, Sailer and Olson of Bowman.

Rep. Haugen moved that the Call of the House be dispensed with. On a rising vote 59 voted for the motion so the Call was dispensed with.

#### ROLL CALL

The question being on the election of a Sergeant-at-Arms, the roll was called.

Those voting for Fred Ingstad were:

Allen, Grand Forks	Gainor	Sailer
Allen, Pierce	Halerow	Sandness
Arndt	Haugland	Saumur
Bagge	Herk	Sellens
Benno	Hildre	Severson
Bjella	Hogoboom	Sharpe
Blair	Hovey	Skaar
Bolmeier	Johnson, Cass	Smart
Boulden	Johnson, Richland	Stanley
Brady	Klefstad	Still
Bymers	Langley	Stormon
Callahan	Leet	Symington
Collette	Luick	Thompson, Griggs

Dalzell	Lysne	Wambheim
Drawz	McInnes.	Westby
Ekren	Moe	Wollitz
Fitch	Nystrom	Yirchott
Fleck	Olson, Barnes	Mr. Speaker
Fuglestad	Pyle	

Those voting for John Feist, Jr., were:

Acheson	Haag	Ostgulen
Anderson	Halvorson	Rohrer
Baumgartner	Haugen	Schimke
Belzer	Heckman	Schlafmann
Boucher	Hegge	Schmalenberger
Bubel	Hofstrand	Schmidt, Logan
Bureau	Isaak	Schmidt, Morton
Crockett	Jennings	Schnell
Devlin	Larson	Schwartz
Dittmer	Levin	Seibel
Drovdal	Lillehaugen	Shockman
Engel	Lindberg	Stair
Esterby	Maher	Sticka
Falconer	Moerke	Thompson, Rich'nd
Forseth	Mollet	Tuff
Frank	Monson	Welk
Fraser	Mork	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Grenier	Ohnstad	

Absent and not voting:

Olson, Bowman

Rep. Allen of Grand Forks moved that the election of the Sergeant-at-Arms be postponed until tomorrow at 1:00 o'clock p. m., which motion prevailed.

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

Rep. Johnson of Cass moved that the House do now adjourn, which motion prevailed.

KENNETH MORGAN, Chief Clerk

## SECOND DAY

Bismarck, January 3, 1945

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

Prayer was offered by Father Ralph.

Roll call: All members present except Rep. Olson of Bowman.

Rep. Bubel moved that a temporary committee of three be appointed for the revision and correction of the Journal, which motion prevailed.

The Speaker appointed Reps. Bubel, Bymers and Luick to serve on a temporary committee for the revision and correction of the Journal.

Rep. Dalzell moved that a temporary committee of three be appointed on Mileage and Per Diem, which motion prevailed.

The Speaker appointed Reps. Dalzell, Ekren and Sticka to serve on a temporary committee on Mileage and Per Diem.

Rep. Fitch moved that a committee of three be appointed

to work with a like committee from the Senate in making arrangements for the inauguration ceremonies and requested that he be not made a member of such committee, which motion prevailed.

The Speaker appointed Reps. Sellens, Falconer and Saumur.

Rep. Johnson of Cass moved that we do now proceed to the selection of seats in the usual manner, which motion prevailed.

A committee consisting of Senators Shure, Work and Peterson reported to the House that the Senate is now organized and in session and ready to do business with the House.

#### PETITIONS AND COMMUNICATIONS

Rep. Fitch moved that the following communication be printed in the Journal, which motion prevailed.

#### DEPARTMENT OF STATE

Bismarck, December 14, 1944

Chief Clerk

House of Representatives

Twenty-ninth Legislative Assembly

Bismarck, North Dakota

Dear Sir:

In compliance with Section 109 Compiled Laws of 1933 an advertisement calling for bids for enrolling and engrossing bills of the Twenty-ninth Legislative Assembly were inserted in the Bismarck Tribune, the official paper of Burleigh County, in the issues of November 6, 13 and 20, asking that bids for such enrolling and engrossing be submitted to the office of Secretary of State until two o'clock P. M., December 1, 1944. This is to advise you that in response to such call no bids were received. Therefore, your designated Board, consisting of the undersigned, is unable to let a contract for this work as provided by law and it will be necessary that the employment committee of the House and Senate make arrangements for the engrossing and enrolling of bills passed by each House of the Twenty-ninth Legislative Assembly.

In making such arrangement your attention is called to the fact that a carbon copy of every enrolled law should be prepared and delivered promptly to the Secretary of State as soon as such enrolled law has been signed by the Senate and the House, this copy being necessary for the use of the printers in preparing the 1945 Session Laws.

Respectfully submitted,

JOHN MOSES,  
Governor

BERTA E. BAKER,  
State Auditor

THOMAS HALL,  
Secretary of State

Rep. Fitch moved that the former Chief Clerk, Mr. W. M. Smart, be allowed seven days at the rate of \$8.00 per diem plus mileage to and from his home for his work in preparing for this Session.

#### ROLL CALL

The question being on salary and mileage for Mr. Smart,

the roll was called and there were ayes, 111; nays, 0; absent and not voting, 1; passed, 1.

Those voting in the affirmative were:

Acheson	Graham	Olson, Barnes
Allen, Grand Forks	Grenier	Ostgulen
Allen, Pierce	Haag	Pyle
Anderson	Halcrow	Rohrer
Arndt	Halvorson	Sailer
Bagge	Haugen	Sandness
Baumgartner	Haugland	Saumur
Belzer	Heckman	Schimke
Benno	Hegge	Schlafmann
Bjella	Herk	Schmalenberger
Blair	Hildre	Schmidt, Logan
Bolmeier	Hofstrand	Schmidt, Morton
Boucher	Hogoboom	Schnell
Boulden	Hovey	Schwartz
Brady	Isaak	Seibel
Bubel	Jennings	Sellens
Bureau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Crockett	Larson	Stair
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	McInnes	Thompson, Richl'nd
Esterby	Maher	Tuff
Falconer	Moe	Wambheim
Fitch	Moerke	Welk
Fleck	Mollet	Westby
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fraser	Mortenson	Wollitz
Fuglestad	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker
Passed:		
Smart		

Absent and not voting:

Olson, Bowman

So the motion prevailed.

Rep. Johnson of Cass moved that the Speaker appoint a committee of three to notify the Senate that the House is organized and ready to do business, which motion prevailed.

The Speaker appointed Reps. Olson of Barnes, Bolmeier and Schimke.

A committee of three consisting of Senators Nordhogen, Wog and Page reported to the House that they had been appointed to confer with a like committee from the House to prepare for the inaugural ceremonies.

Rep. Blair moved that the Speaker appoint a committee of three to notify the Governor that the House is now organized and ready to do business, which motion prevailed.



The Speaker appointed Reps. McInnes, Fleck and Schnell.

Rep. Boulden moved that the rules of the Twenty-seventh Legislative Assembly of 1941 be adopted as the temporary rules of the Twenty-ninth Legislative Assembly until permanent rules are adopted, which motion prevailed.

Rep. Haugen moved that the Board of Administration be authorized to furnish the House with necessary supplies, equipment and janitor service and that they also provide more appropriate loudspeaker boxes for the desks of the Speaker and the Chief Clerk.

#### ROLL CALL

The question being on the motion of Rep. Haugen authorizing the Board of Administration to furnish supplies, service, etc., the roll was called and there were ayes, 107; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Graham	Ostgulen
Allen, Grand Forks	Grenier	Pyle
Allen, Pierce	Haag	Rohrer
Anderson	Halcrow	Sailer
Arndt	Halvorson	Sandness
Bagge	Haugen	Schimke
Baumgartner	Haugland	Schlafmann
Belzer	Heckman	Schmalenberger
Benno	Hegge	Schmidt, Logan
Bjella	Herk	Schmidt, Morton
Blair	Hildre	Schwartz
Bolmeier	Hofstrand	Seibel
Boucher	Hogoboom	Sellens
Boulden	Hovey	Severson
Brady	Isaak	Sharpe
Bubel	Jennings	Shockman
Bureau	Johnson, Cass	Skaar
Bymers	Johnson, Richland	Smart
Callahan	Klefstad	Stair
Collette	Langley	Stanley
Crockett	Larson	Sticka
Dalzell	Leet	Still
Devlin	Levin	Stormon
Dittmer	Lillehaugen	Symington
Drawz	Lindberg	Thompson, Griggs
Drovdal	Luick	Thompson, Richl'nd
Ekren	Lysne	Tuff
Engel	Maher	Wambheim
Esterby	Moe	Welk
Falconer	Moerke	Westby
Fitch	Mollet	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Frank	Mortenson	Wollitz
Fraser	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor	Olson, Barnes	

Absent and not voting:

Fleck	Mork	Saumur
McInnes	Olson, Bowman	Schnell

So the motion prevailed.

Rep. Haugen moved that the Speaker appoint a committee of three to notify the Board of Administration of the action taken with reference to supplies, service, etc., which motion prevailed.

The Speaker appointed Reps. Haugen, Johnson of Richland and Sandness.

Rep. McInnes reported that the committee appointed to notify the Governor that the House is now organized has made its report and asked to be discharged.

The report of the committee was received and the committee discharged.

Rep. Sailer moved that a committee of three be appointed to make the necessary arrangements for telephone installations, which motion prevailed.

The Speaker appointed Reps. Sailer, Smart and Heckman.

Rep. Johnson of Cass moved that a committee of three be appointed to confer with a like committee from the Senate on the matter of printing and distribution of Journals and Bills, which motion prevailed.

The Speaker appointed Reps. Westby, Ohnstad and Bjefta.

Rep. Johnson of Cass moved that a committee of three be appointed to make arrangements for committee rooms, which motion prevailed.

The Speaker appointed Reps. Benno, Fuglestad and Jennings.

Rep. Fitch moved that a committee of three be appointed to confer with a like committee from the Senate on arrangements for Chaplains, which motion prevailed.

The Speaker appointed Reps. Boulden, Moe and Lillehaugen.

Rep. Hovey moved that a committee of three be appointed to investigate and report as to the matter of photographs for the Twenty-ninth Legislative Assembly, which motion prevailed.

The Speaker appointed Reps. Hovey, Allen of Pierce and Crockett.

Rep. Olson of Barnes reported that the committee appointed to notify the Senate that the House is now organized have so reported and ask to be discharged.

The report was received and the committee discharged.

Rep. Sellens reported that the committee on arrangements for the inaugural ceremonies tomorrow had completed arrangements for 2:30 o'clock tomorrow.

Rep. Haugen reported that the committee appointed to notify the Board of Administration as to supplies, etc., had made their report and asked to be discharged.

The report was received and the committee discharged.

Rep. Bolmeier moved that the House recess until 12:30 o'clock p. m., tomorrow, which motion prevailed.

KENNETH MORGAN, Chief Clerk

SECOND DAY AFTER RECESS  
AND THIRD DAY

Bismarck, January 4, 1945

The House was called to order, Speaker Bergesen presiding, at 12:30 o'clock p. m., pursuant to recess taken.

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

On page 5, line 8, strike out the words "one girl" and insert the word "girls". On page 7, after line 40 insert "roll call" for Speaker. On page 8, after line 51, insert "roll call" for Speaker. On page 9, after line 3 insert "roll call" for Speaker. On page 14, strike out lines 46, 47, 48, 49, 50, 51, 52, and 53. On page 15, after line 42 insert the following:

"Rep. Johnson of Cass stated he wishes to change his vote from Fred Ingstad to John Feist, Jr., for the purpose of reconsideration.

Rep. Haugen challenged the right of Rep. Johnson of Cass to change his vote in this instance.

The Speaker ruled in favor of Rep. Haugen.

Rep. Johnson of Cass changed his vote as originally cast before the roll call was announced by the Speaker."

And when so corrected recommends that the same be approved.

WALTER BUBEL, Chairman.

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

REPORTS OF SELECT COMMITTEES

Rep. Blair: Your Committee on Employment places in nomination the following names and recommend that they be given a collective roll call:

Miss Margaret Schoenecker.....	Second Assistant Desk Clerk
Miles Nelson.....	Mailing Clerk
Oswald Kruisk.....	Doorkeeper
Oscar Olson.....	Doorkeeper
Mr. H. E. Bergland.....	Doorkeeper
Henry Hendrickson.....	Doorkeeper
Levern Gayman.....	Page
Jack Koch.....	Page
Beverly Young.....	Page
O. Warren Asplund.....	Page
Carl Lindbergh.....	Night Watchman
Mrs. Louise Finke.....	Appropriation Committee Clerk
E. K. Schaeffer.....	State Affairs Committee Clerk

Miss Alda I. Moe.....	Committee Clerk
Lucille Collette.....	Committee Clerk
Mamie Olson.....	Committee Clerk
Mrs. Walter Buck.....	Telephone Attendant
Mrs. Irene Lere.....	Bill Clerk
Mrs. Gilma Yonker.....	Proofreader
Harold Smith.....	Proofreader
A. N. Lindsay.....	Billroom Clerk
Miss Gladys Unzelman.....	Stenographer
Mrs. Alice Kramer.....	Stenographer
Mrs. Glenn Oleson.....	Stenographer
Mrs. Ann T. Allen.....	Stenographer and Committee Clerk

ROLL CALL

The question being on the report of the Employment Committee, the roll was called and there were ayes, 110; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Boulden	Isaak	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Bureau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Larson	Stair
Crockett	Leet	Stanley
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Ekren	McInnes	Thompson, Richl'nd
Engel	Maher	Tuff
Esterby	Moe	Wambheim
Falconer	Moerke	Welk
Fitch	Mollet	Westby
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fraser	Mortenson	Wollitz
Fuglestad	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker
Graham	Olson, Barnes	

Absent and not voting:

Fleck	Olson, Bowman	Sailer
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So the employees were duly elected to their respective positions.

Oath of office was administered by the Speaker to: Miss Margaret Schoenecker, Miles Nelson, Oswald Kruisk, Oscar Olson, H. E. Bergland, Jack Koch, O. Warren Asplund, Carl Lindbergh, Mrs. Louise Finke, E. K. Schaeffer, Miss Alda I. Moe, Mrs. Walter Buck, Mrs. Gilma Yonker, Harold Smith, Mrs. Gladys Unzelman, Mrs. Glenn Oleson, Mrs. Ann T. Allen and Levern Gayman.

Rep. Fitch moved that a committee of five be appointed to meet with a like committee from the Senate with reference to the effective date of the new Code and that the four attorneys in the House including the Speaker be members of such committee, which motion prevailed.

The Speaker appointed Reps. Graham, Johnson of Richland, Ohnstad, Leet and Mr. Speaker on such committee.

Rep. Fitch moved that a temporary committee of three be appointed to confer with a like committee from the Senate with reference to the enrolling and engrossing of bills, which motion prevailed.

The Speaker appointed Reps. Hovey, Bagge and Bubel.

Rep. Wolf of McIntosh asked the unanimous consent of the House to withdraw the name of John Feist, Jr., as candidate for Sergeant-at-Arms, which unanimous consent was granted.

Rep. Wolf of McIntosh moved that the House do now proceed with the roll call of the election of a Sergeant-at-Arms, the only candidate being Fred Ingstad.

#### ROLL CALL

The question being on the election of Fred Ingstad as Sergeant-at-Arms, the roll was called and there were ayes, 109; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Graham	Ohnstad
Allen, Grand Forks	Grenier	Olson, Barnes
Allen, Pierce	Haag	Ostgulen
Anderson	Halcrow	Pyle
Arndt	Halvorson	Rohrer
Bagge	Haugen	Sailer
Baumgartner	Haugland	Sandness
Belzer	Heckman	Saumur
Benno	Hegge	Schlafmann
Bjella	Herk	Schmidt, Logan
Blair	Hildre	Schmidt, Morton
Bolmeier	Hofstrand	Schnell
Boucher	Hogoboom	Schwartz
Boulden	Hovey	Seibel
Brady	Isaak	Severson
Bubel	Jennings	Sharpe
Burau	Johnson, Cass	Shockman
Bymers	Johnson, Richland	Skaar
Callahan	Klefstad	Smart
Collette	Langley	Stair
Crockett	Larson	Stanley
Dalzell	Leet	Sticka
Devlin	Levin	Still
Dittmer	Lillehaugen	Stormon
Drawz	Lindberg	Symington
Drovdal	Luick	Thompson, Griggs

Ekren	Lysne	Thompson, Richl'nd
Engel	McInnes	Tuff
Esterby	Maher	Wambheim
Falconer	Moe	Welk
Fitch	Moerke	Westby
Fleck	Mollet	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Frank	Mork	Wollitz
Fraser	Mortenson	Yirchott
Fuglestad	Nystrom	Mr. Speaker
Gainor		

Absent and not voting:

Olson, Bowman	Schmalenberger	Sellens
Schimke		

So Fred Ingstad was declared elected Sergeant-at-Arms.

Rep. Johnson of Cass placed in nomination the name of John Feist, Jr., as Assistant Sergeant-at-Arms.

Rep. Graham moved that the nominations be closed, which motion prevailed.

#### ROLL CALL

The question being on the election of John Feist, Jr., as Assistant Sergeant-at-Arms, the roll was called and there were ayes, 109; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Grenier	Olson, Barnes
Allen, Grand Forks	Haag	Ostgulen
Allen, Pierce	Halcrow	Pyle
Anderson	Halvorson	Rohrer
Arndt	Haugen	Sailer
Bagge	Haugland	Sandness
Baumgartner	Heckman	Saumur
Belzer	Hegge	Schimke
Benno	Herk	Schlafmann
Bjella	Hildre	Schmidt, Logan
Blair	Hofstrand	Schmidt, Morton
Bolmeier	Hogoboom	Schnell
Boucher	Hovey	Schwartz
Boulden	Isaak	Seibel
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Bureau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Larson	Stair
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	McInnes	Thompson, Richl'nd
Esterby	Maher	Tuff
Falconer	Moe	Wambheim
Fitch	Moerke	Welk
Fleck	Mollet	Westby
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton

Fraser	Mortenson	Wollitz
Fuglestad	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker
Graham		

Absent and not voting:

Crockett	Schmalenberger	Sellens
Olson, Bowman		

So John Feist, Jr., was duly elected Assistant Sergeant-at-Arms.

The Speaker administered the oath of office to Fred Ingstad, newly-elected Sergeant-at-Arms.

Rep. Johnson of Richland moved that the House have an understanding that no controversial matters will be taken up for consideration until a week from the coming Monday and the decision as to whether the matter is controversial shall rest with the minority floor leader or his assistant and the majority floor leader or his assistant, which motion prevailed.

Rep. Allen of Grand Forks moved that the absent members be excused, which motion prevailed.

Rep. Schimke moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

KENNETH L. MORGAN, Chief Clerk

### THIRD DAY

Bismarck, January 4, 1945

The House convened pursuant to adjournment, Speaker Bergesen presiding.

Prayer by the Chaplain, Father Ralph.

Roll call: All members present except Reps. Olson of Bowman, Crockett and Ohnstad.

Rep. Olson of Barnes moved that a committee of three be appointed to notify the Senate that we are now ready to receive them in joint session, which motion prevailed.

The Speaker appointed Reps. Brady, McInnes and Graham.

Reps. Brady, McInnes and Graham reported that they had fulfilled their duties and asked to be discharged.

Their report was received and the committee discharged.

Rep. Schimke moved that the House do now recess subject to the call of the chair, which motion prevailed and the House stood recessed.

### JOINT SESSION

Speaker Bergesen: Members of the Joint Assembly of the Twenty-ninth Legislative Assembly of the State of North Dakota will come to order.

It is my pleasure and privilege to present to you the President of the Senate, your Lieutenant Governor, who will be the presiding officer of this joint assembly. Lieutenant Governor C. P. Dahl.

Lieutenant Governor Dahl: Assembled members, we will now be led in prayer by Rev. T. W. Tysdal of Bismarck.

Prayer by Rev. Tysdal.

The presiding officer announced that due to the fact that time is short before going on the air with the messages of

the outgoing Governor and the incoming Governor, we will dispense with the roll call.

Senator O'Brien moved that the President of the Joint Assembly appoint a committee of three to escort the members of the Supreme Court to the rostrum, which motion prevailed and the President appointed Senator O'Brien, Rep. Ohnstad and Senator Kehoe.

Rep. Saumur moved that the President of the joint assembly appoint a committee of three to escort the state officials to the rostrum, which motion prevailed and the President appointed on that committee Rep. Saumur, Senator Morgan and Rep. Schnell.

Senator Olson of Barnes moved that the President of the joint assembly appoint a committee of three to escort the Governor to the rostrum, which motion prevailed and the President appointed on that committee Senator Olson of Barnes, Rep. Herk and Senator Nordhougen.

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

The oath of office was administered by Chief Justice A. M. Christianson.

President Dahl: Honorable members of this Joint Legislative Assembly, ladies and gentlemen, and our radio audience: Due to the absence of Governor Moses, he having taken his seat in the United States Senate on January 3rd, it becomes my pleasure at this time to introduce to you Mr. Kenneth W. Simons, who will present the message of the outgoing Governor.

#### TEXT OF GOVERNOR JOHN MOSES' FAREWELL ADDRESS TO THE NORTH DAKOTA LEGISLATURE

Under the Constitution of North Dakota it is the duty of the Governor of the state to present to the General Assembly, at the beginning of each legislative session, a report on the condition of the state and his recommendations as to legislation.

That duty now devolves upon the Hon. Fred G. Aandahl, our newly elected governor, who doubtless has specific recommendations to present for your consideration. I urge you to give close attention to them and to work in harmony with Governor Aandahl during the ensuing two years. If ever we needed unity of purpose and action we need it now when so many of our citizens, men and women, are absent from home in the defense of human freedom.

After six years as Governor of North Dakota I could make numerous recommendations as to the future conduct of the state's business. They would be based on the experiences I have had.

But instead of testing your patience with a long speech and a vast store of advice, I shall content myself with those observations and recommendations which I feel will be helpful to you in discharging your duties.

From the standpoint of finances, you find yourselves in better position than any other legislative assembly in the modern history of our state. Our people have never before



been as prosperous as now. Due to good crops and fair prices, most of them have paid their debts. Mortgages have been greatly reduced. Our banks have huge balances. Farm tenancy has been and is being reduced at a rate which, only a few years ago, would have been regarded as fantastic. Heavy purchases of war bonds have given our people a financial backlog which contributes greatly to their stability.

Improvement in the financial situation of our people has been paralleled by a marked up-turn in all government finances.

Six years ago North Dakota's indebtedness was twenty-three and a half million dollars. Today, when available sinking funds are considered, the state's net indebtedness is only nine million dollars. In addition, there are substantial balances in various departmental funds which, six years ago, contained little or nothing.

When Mr. J. S. Lamb, your present Highway Commissioner, took charge of that department, it had debts totalling \$1,080,000 and only \$596 in cash on hand. This debt has been paid and the department now has a substantial balance, available for the construction and improvement of our roads when men and materials again become available.

The same relative condition holds true for most of the other state departments. Those over which I have had supervision, either directly or through the appointive power, have been carefully and conservatively managed.

Our state-owned industries, the North Dakota State Mill and Elevator and the Bank of North Dakota, are on a profit-making basis. We have learned, through the experience of the last five and a half years, that the State Mill and Elevator need not be a white elephant; that it can succeed; that it can be of service to both the farmers and the consumers of our state.

The keynote of the last six years in state government has been economy. At the beginning this was imperative. Because of drouth and depression our people and all subdivisions of government were suffering severe financial stringency. Many municipal subdivisions were registering their warrants, because taxes were unpaid. State finances were in a deplorable condition.

But economy in government also involves handicaps. Conditions are different now and the task in the next few years will be that of wise spending. In the developments which lie close at hand I hope there will be no undue parsimony. But I hope, also, you will make sure the taxpayers get 100 cents worth of value for every dollar spent.

Because of the regime of economy, imposed first by stringent times and later by the war, many things have not been done which ordinarily would have been done. The physical plants of many of our institutions need repair, replacement and enlargement. These items represent a backlog of work which should be done as soon as possible. They cannot be done now because the war still is in progress, but, God willing, the war will end soon and they should then be undertaken. Happily, the finances are available to do them without undue strain upon the taxpayers.

Among the items I have in mind as good investments for the people of North Dakota are a new administration build-

ing at the University of North Dakota and a new library building at the North Dakota Agricultural College. There are others.

Governor Aandahl doubtless will discuss these items of needed expansion with you. I commend them to your favorable consideration.

Since 1941, North Dakota has sent thousands of its young men and women to face our common enemies on many fronts of a vast battle field. We must be ready for their return; ready to welcome them with warm hearts, open hands and opportunities for peaceful, profitable lives.

Some will return to us under conditions which will challenge our sympathy as well as our sense of duty. Provision must be made for them, too. Any man or woman who suffers permanent physical or mental damage from service in this war has an enduring claim upon the State of North Dakota as well as upon the government under whose flag he incurred his wounds. We must be ready to discharge that obligation.

To this end I urgently recommend the perfection and enlargement of services now performed by the North Dakota Veterans Service Commissioner. I urge a broadening of the statutes so that service may be available to these war veterans in all necessary and advisable things.

Up to now, the Veterans Service commissioner has occupied himself largely with perfecting and prosecuting the claims of service men against the federal government. We must do more than that. We must be ready to render economic assistance that these men and women may have opportunity and that the state and nation may benefit from their abilities.

This job begins on a local level and can best be dealt with there. But we will need more than purely local resources to insure adequate service to our veterans. The state should accept its full share of responsibility. It should act as a central agency, a clearing house, a source of information and inspiration to the local groups whose warm hearts and great good will enlist them in this cause.

Probably no duty facing the State of North Dakota exerts a stronger tug on the heart strings than this one. It is our sons and our daughters—yours and mine—for whose future we must make provision. We react both as patriots and as parents.

Yet I would give you one word of caution. Sympathy and sentiment alone are not enough—and both of these worthy virtues are easily misguided. If you are to meet your obligation wisely and well you must be rational and business-like. You must be practical as well as warm-hearted.

Another recommendation which I wish to make after six years of experience, is continuation of the movement begun two years ago with the creation, by the Twenty-eighth General assembly, of the North Dakota Research Foundation. This is a challenge to the vision as well as to the practicality of our people. And I would remind you that where there is no vision the people perish.

We must learn more about our resources and how to capitalize them. If we are to have the industrial, agricultural and economic advancement which our state needs, science

must pave the way. Nothing else we can do, will, in the end, give greater impetus to private initiative.

During the last 18 months your research foundation has cooperated with the State Mill and Elevator in the design and installation of a plant for milling soy beans. It has worked with the U. S. Bureau of Mines in a survey of our bentonite deposits. It has done experimental work on the gasification of lignite coal and has been helpful in causing the location, at Grand Forks, of a pilot plant which will attempt to make North Dakota's lignite coal and Minnesota's low-grade iron ore a resource of great value to the entire nation.

The Research Foundation is now completing a bibliography of the resources of our state to serve as a foundation for all future work. It is studying the dehydration of low-grade potatoes for use as stock feed, and it has completed preliminary studies on the technical and economic possibilities of cement, cheese, industrial alcohol, paint and flax-fiber plants. It is studying the possibilities of large-scale electric power enterprises and will be useful in the developments in that field which all of us envision.

I recommend not only that the foundation be continued with an adequate appropriation but that you consult with the director of the foundation and members of its technical staff upon many subjects which will come before you. I am sure you will find this a helpful procedure.

There may be a tendency to expect immediate, large-scale results from this work. I submit to you that such an attitude is short-sighted. Great American industries are today becoming still greater because they are spending vast sums on technical and scientific research. I submit to you that the people of North Dakota must advance by the same method. That we must use technical knowledge and scientific advancement for the benefit of all our people.

At this point I call to your attention the fact that our present system of state government is a hodge-podge which has grown up through the years. My experience with it proves that, in many respects, it is not business-like and should be improved. It is susceptible to improvement for the benefit of all the people, politically as well as economically.

Two years ago, I told the Twenty-eighth Legislative assembly that I would not again be a candidate for governor. But, after four years as the chief executive of this state I recommended a revision of our state government as outlined by the Governmental Survey Commission. I spoke not for myself but for the people of North Dakota and for those who should succeed me as Governor, as Governor Aandahl does now.

I said then—and I reiterate now—that the time to effect this change is not when thousands of our citizens are absent from the state on the most pressing business of our time. But I do want to call the matter to your attention as one which should not be deferred any longer than necessary. A business-like revision of our governmental structure will save the taxpayers thousands of dollars. It will improve the services which the government renders to the people. It will increase the satisfaction of the people with their government and their pride in it.

At the last election the people of North Dakota approved

a proposal, initiated by me many months ago, to bond the state for a great post-war highway expansion. The support given by the people to that proposal was most satisfying, but it also imposed upon this Twenty-ninth General assembly an obligation which should be discharged.

In recent years our gasoline tax collections have not been satisfactory. In comparison with surrounding states, particularly with South Dakota, discrepancies in revenue have been obvious.

I do not recommend hasty action, but I do urge upon you the necessity of giving careful study to this question and of enacting such legislation as the facts justify. Any money spent in accumulating pertinent information on this subject will be well spent if it results in constructive action.

Legislation recently enacted by The Congress and signed by The President transfers to the State of North Dakota the property formerly known as the Bismarck Indian school and now known as Fraine Barracks, including 160 acres of land.

In recent years this property has been used as the National Guard Headquarters for North Dakota. It has been greatly enlarged and improved, largely through the WPA and at little cost to the state.

Since this property will serve as a storehouse for much National Guard equipment and since the National Guard doubtless will be greatly expanded after the war, I recommend such appropriation as may be necessary to complete work which was under way but unfinished when the war halted it. This work should be done at the earliest possible moment, since the facilities will be needed as soon as our National Guard regiments return home.

Another part of this property consists of 93 acres on the Missouri river bottoms south of Bismarck. A part of this property has been developed by your State Water Conservation Commission as a demonstration of irrigation in this region and now is devoted to victory gardens, operated in small plots by some 500 citizens of Bismarck. Provision should be made for transferring title to this land to the State Water Conservation Commission with the expectation of selling it after the war ends.

Homes on irrigated plots in this area will be in demand after the war. I stress, however, the advisability of holding this land off the market until the veterans of this war have ample opportunity to bid upon it.

In the last six years we have come a long way with the water conservation movement in North Dakota. Members of the legislature have been far-sighted in their support of it and I have given to it a great deal of my time as Governor. I am happy to report that great works of lasting advantage to our state now are assured for North Dakota. Provision has been made for the development of irrigation and related industrial activity in Western North Dakota and for the diversion of water into Eastern North Dakota, where it is urgently needed to insure economic and industrial development.

This work should have the careful study of the legislature and of officials charged with representing the state's interests. It must be adequately financed. This is a matter of paramount importance to North Dakota, both in the

immediate future and in the long-time development of our state.

In this final message as Governor, to you and to the people of North Dakota, I would be remiss in my duty and I would deny myself a pleasure if I failed to acknowledge the help and encouragement of those officers and employes of the state government, both elective and appointive, who have worked with me during the last six years. They have given able, faithful service to the people of North Dakota and I am grateful to them. To them must go much of the credit for such success as I have had during my three administrations as governor.

It is a source of regret to me that I could not attend the opening of the Twenty-ninth Legislative assembly and greet you in person. To many of you who served in the three preceding sessions I am grateful for your counsel and support. I count the vast majority of you as personal friends.

But my duties as Governor have ended. I now must take up those of United States senator, the position to which the people have elected me. And these require my presence in Washington at the opening of the Congressional session there. But as we take up our respective labors, you as the representatives of the people in the legislative assembly of North Dakota and I as their representative in the national Congress, I feel there will be unity in all really essential things.

There are many things to be done for North Dakota in Washington and I shall try to do them, but these have no place in a report such as this and I shall pass them by.

Upon only one matter would I touch in closing and that is the need for united, patriotic action by all of us that victory may be ours and that we may achieve a just and lasting peace. Victory and a stable peace are the paramount issues of our times. We shall be remiss in our duty if we fail to achieve them.

In all we do and say, we must remember that the war is not yet won. Recent events have shown that much sacrifice is ahead for all of us. Our North Dakota manhood is baring its breast to our enemies that liberty may live in the world and that we may exercise the privileges of free men. But these very privileges impose weighty obligations upon us. They demand that we purge ourselves of prejudice, bigotry, intolerance and unjustified hate. They require us to give careful study and to bring unprejudiced decision to the problems which confront us.

Above all, they offer us the opportunity—if we do our jobs well as our fighting men are doing theirs — to bring peace, justice and enlightenment to a war-torn world.

Let us work and pray that we may meet our obligations manfully; that we may take full advantage of the opportunity to create a better state, a better nation and a better world.

President Dahl: Thank you, Mr. Simons.

The next voice you will hear will be that of the Honorable A. M. Christianson, Chief Justice of the Supreme Court of North Dakota, who will administer the oath of office to the Honorable Fred G. Aandahl, Governor of North Dakota.

The oath of office was administered.

President Dahl: I now have the honor to present to you the Honorable Fred G. Aandahl, Governor of the State of North Dakota. Governor Aandahl.

MESSAGE OF GOVERNOR AANDAHL  
LADIES AND GENTLEMEN OF THE TWENTY-NINTH  
LEGISLATIVE ASSEMBLY:

North Dakota, like all of the other states, and like the nation itself, is faced with grave war time responsibilities. The war is not over yet. We work and strive and hope for a speedy victory. Each day that the war continues the price of victory grows higher and higher in abnormal economic misadjustments, in mounting governmental indebtedness and in human distraction, disabilities and death. But out of it all should come a people unified in purpose by the trials of war. We are sharing with the rest of the nation in the human losses, and we feel those losses intensely, and grievously, but bear them bravely. We are also sharing with the rest of the nation in the economic price of the war but I am not sure that we now fully feel that price. Four or five successive, unprecedented big crops in North Dakota have brought prosperity to our people and strength to our tax structures. This can not be expected always to continue. But it has given us a definite starting advantage in the readjustment problems that will soon be upon us. Bank deposits and bond holdings are high. Private loans, mortgages and unpaid taxes are low. If we will preserve for our people this advantage that has been gained, it will carry us well into the period of readjustment. The responsibility to do this, rests both with the private citizens and with the state and its political subdivisions.

It becomes the duty of the 29th Legislative Assembly of North Dakota to not only provide for the normal functions of government but also to make the adjustment and provide for the contingencies brought about by the abnormalities of war. In most of the problems that I shall briefly present there will be an inevitable combination of the two factors.

In this period of high income the state must most definitely hold its appropriations somewhat below the visible income for those expenditures which establish a precedent that could reasonably be expected to continue through later years. That means that expansion of departments and the establishment of new fields of activity should be approached very cautiously. On the other hand, the remainder of the visible income together with the necessary portions of surplus funds in excess of reasonable reserves can wisely be used in badly needed renovation and replacements at our various state institutions as soon as manpower and material is available at a reasonable price. In other words, we should be ready to move out of the high income period with our fiscal plant in good repair and our reserve funds maintained at a reasonably high figure. If this is a good policy for the state, it is also a good policy for our political subdivisions. Those thoughts make it the function of this legislative assembly to hold appropriations down to a point where that is possible and to make such adjustments in our laws as might be needed to foster that purpose for our state and the various political subdivisions.

The financial condition of the state is good, but not too assuring for the future. On November 30th, 1944, the State Auditors offices showed a balance in the General Fund of \$8,618,919.77. There has been some reduction since June 30, 1944, when the balance was \$9,338,884.43 and it is reasonable to expect that there will be some further reduction by the end of the biennium, June 30, 1945. Increasing federal income taxes will add to the deductions made on our state income tax reports. Lighter crops than we have had during the past few years will reduce both income and sales tax revenue, as well as cause some additional delinquency in property tax payment. The auditor's office also shows that uncollected taxes on December 1, 1944, were down to the low figure of \$649,128.51. This adds up to the fact that we have passed the peak for tax income and that any appropriations out of the general fund in excess of the visible income will be at the expense of an already reducing cash balance.

The condition of the state's bonded indebtedness is improved. The State Treasurer's report shows the total outstanding bonds at \$19,811,350.00 with offsetting sinking funds of \$10,340,459.76 as of June 30, 1944.

The question of appropriations is always a difficult one. Worthy requests for well justified functions of government are always materially in excess of the state's ability to pay. The legislature like the farmer and the business man, must measure the income and hold the appropriations within the sound purchasing power of the state if solvency and security and the strength to continue the many duties of government for the people is to be maintained.

What will be the income of our state for the biennium beginning July 1st, 1945. The State Tax Commissioner has made a careful analysis of our sources of revenue during the current biennium and projected them into a estimated revenue for the next two years. I join him in feeling that the income of the general fund, exclusive of the sales tax, will be about \$10,200,000 and that the sales tax will yield about \$8,000,000. Except for some limited and well justified distributions of unused balances, the appropriations from either of these funds should not exceed the amounts indicated. In the above figures, the 4 mill state-wide general property tax is included at about a maximum figure of \$1,700,000 for one year. There was no levy made this year because of the reserve of back taxes that came in and therefore during the first year of the next biennium there will be no receipts from this source and our estimates must be based on only one year's tax. It must be emphasized that of the \$18,200,000 estimated in these two funds \$8,000,000 will come from the sales tax and nearly \$4,000,000 from the state income tax. That means that 2/3 of the \$18,200,000 revenue comes from these sources. The last, the 28th Legislative Assembly, appropriated \$1,266,120 for child welfare; \$3,000,000 for old age assistance and \$3,750,000 for the common schools through the equalization law out of these funds. In this period of high prices and increased costs of everything the government does, it is imperative that we have these two sources of revenue. I therefore urge that the sales tax law be re-enacted and that our income tax law continue unchanged. With

less certainty it is estimated that the income from special funds other than the sales tax money, will be \$12,800,000. The appropriations from these special funds should not exceed this amount.

From 1930 to 1940, North Dakota suffered a combination of both crop production and price reverses which made those years what is known as the depression period. Since then, manpower and material has not been available. Because of those conditions repair work, replacement of worn out equipment and buildings, and general renovation at our state institutions has been badly neglected. We are now faced with an accumulation of this work which cannot all be done at once. However, a modest start can be made and if the war situation clears, perhaps by the second year of the biennium, we can reach some material accomplishments. In making the appropriations this situation must be recognized.

Our common schools have a growing financial problem. A year ago, it cost about \$1,000,000 dollars more to operate them than their greatest possible income, this year it will be more than \$2,500,000 above the greatest possible income. The reason is that the salaries and the price of most supplies have increased during the war period. The excess cost has been paid for from the reserves of back taxes that were collected during the past few years. These reserves are rapidly disappearing as indicated by the increasing number of schools that are asking for money on the basis of need. I hope that we do not have to see too much of that kind of aid. There is a large enough unused balance in our equalization fund to pay the \$2,500,000 excess costs of this year. Perhaps a supplementary basis of distribution added to our equalization law and designed to reach only the most needy districts would be the way to utilize this unused balance which is earmarked for the schools and thus boost the school income to a point closer to the cost of operation.

Something also should be done to adjust school district boundary lines which have become out-dated by changing population centers, by road construction and by method of travel. By such procedure, economy in operation, a broadening and equalizing of the local tax bases, and a great convenience in travel and quality of school for the pupil can be accomplished. This will be a slow and gradual change encouraged by the legislature, but authorized and developed by the people in the local school districts.

The people of North Dakota are looking forward to a material improvement of roads and highways in the post-war period. The large vote given to the initiated good roads bill at the general election on November 7th is an expression of that feeling. In addition to federal aid our roads are financed predominantly by car and truck license fees and by the four cent gasoline tax. In 1943 this tax was paid on about 64,000,000 gallons. It is difficult to calculate with certainty just how much gasoline was used in cars and trucks upon the highways and should be subject to tax, but a number of studies have been made which indicate that it should approximate 100,000,000 gallons for 1943. That means that in excess of 30,000,000 gallons, or 1/3 of the gasoline used in 1943, was used without the payment of the tax. The tax loss through this evasion is equal to 1/2 our total collections.



Thirty million gallons at 4 cents per gallon is \$1,200,000 lost to our state and county road funds each year, and insofar as a portion of this amount would be used in matching federal funds, the loss in actual road work is still greater. It is true that these figures are only estimates but they seem to be substantially correct. This evasion is not the result of any inherent dishonesty on the part of our people, but rather is the result of the circumstances developed under our state tax exempt law and aggravated by federal rationing itself. I am not anxious to see the present law replaced. It is convenient and eliminates a large amount of the clerical work that was needed under the old pay and refund system. There is some indication that the evasion trend has started in 1938, a year before the law was changed in 1939. Every possibility of enforcement should be carefully considered before a decision is made to replace our present law.

This large tax evasion leak must be stopped if we are to make the progress the people anticipate in the post-war good roads program. It should be stopped at once, so that in this period of high income we could be building up a reserve in our highway funds to be later used in construction and maintenance work and in the matching of federal funds. Our 4 cent gasoline tax is divided so that one cent is used to match federal funds for new construction, two cents are used by the state for construction and maintenance and one cent goes to the counties for their work. A loss of 1/3 of this income materially affects the amount of work and the quality of roads that we will have both locally and in our state highway system. I am not certain of the remedy. I request your careful consideration and from the combined thinking of many will come the final answer.

A rehabilitation program for returning veterans of World War II, is a new and rapidly growing responsibility of our state government. The 1943 session of the legislature recognized this fact and wisely set up a Veterans' Aid Commission; a Veterans' Reserve Fund; a Veterans' Emergency Fund; broadened the duties of the Veterans' Service Commissioner and authorized county Veterans' Service Officers. In addition the State Defense Council assisted by other groups, has set up voluntary citizens committees in most of our counties. During this session by legislative enactment, the work of these units should be more closely coordinated. Unless that is done, we will find ourselves going into a tremendously big task with different units in duplicating efforts. Most of the work should be done at the county level. In small or thinly populated counties, perhaps several counties could function as a unit. Much of the responsibility should rest with the voluntary committees. A state unit should give general supervision and guidance to the county units and clear the exception and difficult cases. The purpose of the entire organization will be to inform each returning veteran or his dependents of his rights under state and federal laws and to assist him in processing those claims and also to assist him to find employment and business opportunities and to become a definite and positive part of the social and economic life of his community.

Agricultural improvement and industrial and business development for North Dakota should be thought of together

for the two go hand in hand. Agriculture is our basic occupation and business and industry is supplemental to it. Anything that can be done to give greater strength to our agricultural economy will add to the prosperity of all of our people. Many of the problems of agriculture must be answered at the national level and that is particularly true in the determination of prices for farm products. On the other hand, there are many things that the state can and is doing either, alone or in cooperation with the federal government. Our agricultural experiment station with its substations scattered over the state has developed new varieties of disease-resistant seeds that have been potent factors in the big crops of the past few years. The State Water Commission has an invaluable service to perform in the Missouri River Development and in the drainage projects in the eastern part of the state. This embodies the expansion of irrigation with its stabilizing influence upon farming and of rural electrification with its pleasures and comforts and convenience, and impetus to private business. It also provides for the diversion of water to our present weak river systems, thus assuring municipal and industrial water supplies. The North Dakota Research Foundation is making a practical, scientific study of the resources of the state including the industrial uses of agricultural products. It can in part, take credit for encouraging the Federal Bureau of Mines to establish a quarter million dollar Pilot Plant at Grand Forks to study the commercial uses of lignite.

The legislature will also go a long ways to establish the economic relationship that will exist between the occupational groups within the state; the farmers, the bankers, the laboring men, the merchants, the professional men and the manufacturer. The key to the answer is that we are all essentially needed in the economic life of our state. The laws that are passed should give fairness and an opportunity for prosperity to all, that each in his own way and all together can make a contribution to a better and happier and more secure way of living within our state. Our future policy should be an advancement in what we are doing. The activities and legislative purpose reviewed in this paragraph with respect to agriculture, business and industry should help to build a groundwork of opportunity for home ownership upon the farms and for a sound industrial and business development in our state.

It has been my purpose to outline the financial condition of the state and the attendant taxation and appropriation problems. Some indication has been given of the condition of our state institutions and common schools. The duties of post-war rehabilitation have been emphasized. Our desire for agricultural improvement and business and industrial development has been reaffirmed.

From time to time during the session, I expect to bring to the attention of the legislature, additional requirements and needs of the state for legislative action. I wish to ask every member of the legislature to read carefully the report of the North Dakota Post-War Planning Board. It contains an infinite amount of information on the problems of the state, arrived at through much research work, and boiled down to a reasonable reading length. I wish to invite the members of

the legislature to counsel with me from time to time that we may have the mutual advantage of each other's thinking.

I wish to express my deep appreciation to the retiring Governor, John Moses, for the many kindnesses and courtesies that he has extended during the past six weeks, to help me in preparation for my new duties.

In this period of war-made uncertainties, we all have a deep and difficult obligation to fulfill. The progress of the future will be shaped by the decisions made in our legislature during the next sixty days. We must anticipate the reconversion needs that we hope will soon be upon us. North Dakota is a great state with an abundance of resources waiting to be used by man. Our people are a great people, descendants of the hardy pioneers who braved the uncertainties of an untried prairie region and proved its productivity. We do have confidence in our state and our people as we meet the problems of today and build for the future. May there be strength and wisdom and fortitude in the deliberations that are now upon us.

Senator Nordhogen moved that the joint session be dissolved, which motion prevailed.

The House was called to order by the Speaker.

Rep. Crockett moved that a committee of three be appointed to confer with a like committee from the Senate on printing and supplies, which motion prevailed.

The Speaker appointed Reps. Haugen, Crockett and Sandness.

Rep. Falconer moved that the messages from the outgoing Governor and the incoming Governor be printed in the Journal of the House, which motion prevailed.

Rep. Graham moved that the committee previously appointed to confer with the Board of Administration also confer with them in regard to operation of the loudspeaker system for the House, which motion prevailed.

Rep. Johnson of Cass moved that the Board of Administration be instructed to furnish the necessary janitor service for the House Chamber, which motion prevailed.

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

KENNETH L. MORGAN, Chief Clerk.

THIRD DAY AFTER RECESS  
AND FOURTH DAY

Bismarck, January 5, 1945

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

## REPORTS OF SELECT COMMITTEES

Bismarck, January 5, 1945

Mr. Speaker: Your interim committee appointed by legislative session 1942-43 begs to make the following report:

Owing to my suffering a fractured hip in an accident in the fall of 1943, my investigations were not as thorough as I wanted owing to my physical inability for some time after my accident. However my investigations show a number of changes which in my opinion should be made in our handling of Indian affairs.

There should be a radical change especially in the agency system. I can see no use of the Indians not being allowed to administer their own finances and other affairs when a person sees the number of Indians of ability who are capable and efficient yet who are forced to see their affairs administered by white men of far less ability and knowledge—who live in luxury—modern homes—while some of the Indians who have been unfortunate have to exist on the pittance that is doled out to them from time to time by those in charge of their agency.

A committee from the U. S. Congress this fall held a sort of investigation and I understand the only recommendation made was to give Indians more education. In my opinion it would be more fitting to fill the aged and unfortunate Indians' stomachs with more and better food than to neglect them as they are neglected, and attempt to fill the younger generation heads full of practical university education which may or may not be of value to them.

However, there is one matter on which a part of the Indians, especially the aged, should have more education. That is in the matter of voting. I think that there should be a law passed by the North Dakota legislature to provide for some meetings to instruct some of the Indians in regard to casting an intelligent ballot. These meetings should be conducted by a committee consisting of county chairmen of Republican and Democratic organizations and head of tribal council. This would do away with present deplorable conditions at election and primaries whereas in this case now in a few precincts some of the Indians, especially the aged, have been led into voting booths, their ballots marked by unscrupulous politicians. There should be a determined effort

made towards cleaner elections. Committee mentioned in holding vote instruction meetings should receive pay from state or county for time so spent—and instructions in marking ballot should be strictly non-political.

Indians' rights should be enlarged especially in the matter of buying liquor. They should be able to buy same as white persons. This would do away with unscrupulous parties buying worthless stuff and turning it over to Indians at exorbitant prices.

Another matter is present condition of grave of Sitting Bull at Fort Yates. His grave is in a deplorable condition—fence around it down and overgrown with weeds. Sitting Bull was one of the great Indian leaders and he should be so recognized by the white race. His grave should be put in a respectable condition and a suitable monument erected by U. S. A. to mark the last resting place of one of the main leaders of his race who fought for his and his people's home right which we all would do under similar circumstances.

Respectfully submitted,

WM. BAUER,  
Thunder Hawk, S. D.

Rep. Sandness moved that the report of former Rep. Wm. Bauer be printed in the Journal of the House, which motion prevailed.

The report of expenses incident to the investigation made by former Rep. Wm. Bauer was read and referred to the Committee on Appropriations.

The oath of office was administered by the Speaker to John Feist, Jr., Assistant Sergeant-at-Arms.

Mr. Speaker: Your Committee on Employment places in nomination the following names and recommend that they be given a collective roll call:

Truman Seltveit.....	Mailing Clerk
Fred Fischer.....	Mailing Clerk
Mrs. I. A. Smith.....	Mailing Clerk
Robert Johnson.....	Enrolling and Engrossing
Eleanor Vendt.....	Enrolling and Engrossing
O. J. Lokken.....	Calendar Clerk
Earl McInnes.....	Postmaster

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

#### ROLL CALL

The question being on the report of the Employment Committee, the roll was called and there were ayes, 78; nays, 0; absent and not voting, 35.

Those voting in the affirmative were:

Acheson	Frank	Ostgulen
Allen, Grand Forks	Fraser	Rohrer
Allen, Pierce	Fuglestad	Sailer
Anderson	Gainor	Sandness
Bagge	Graham	Saumur
Baumgartner	Grenier	Schlafmann
Belzer	Haag	Schmidt, Logan
Benno	Halcrow	Schmidt, Morton
Bjella	Halvorson	Seibel
Blair	Heckman	Sellens

Boucher	Hildre	Severson
Boulden	Hofstrand	Sharpe
Bubel	Hogoboom	Skaar
Burau	Johnson, Cass	Stair
Bymers	Langley	Stanley
Callahan	Leet	Still
Crockett	Levin	Stormon
Dalzell	Lillehaugen	Symington
Devlin	Lindberg	Thompson, Griggs
Dittmer	Luick	Tuff
Drawz	Lysne	Welk
Drovdal	McInnes	Westby
Ekren	Moerke	Wolf, McIntosh
Engel	Monson	Wolf, Morton
Esterby	Mortenson	Wollitz
Falconer	Nystrom	Mr. Speaker

## Absent and not voting:

Arndt	Isaak	Pyle
Bolmeier	Jennings	Schimke
Brady	Johnson, Richland	Schmalenberger
Collette	Klefstad	Schnell
Fitch	Larson	Schwartz
Fleck	Maher	Shockman
Forseth	Moe	Smart
Haugen	Mollet	Sticka
Haugland	Mork	Thompson, Rich'nd
Hegge	Ohnstad	Wambheim
Herk	Olson, Barnes	Yirchott
Hovey	Olson, Bowman	

So the employees were duly elected.

The Speaker administered the oath of office to Mrs. I. A. Smith, Robert Johnson, Mrs. Eleanor Vendt and O. J. Lokken.

Rep. Bubel reported that his Committee on Enrolling and Engrossing had conferred with a like committee from the Senate and agreed that the Employment Committee of the House should hire the head for the enrolling and engrossing department and that such head be directly responsible to the House and the employment committees of the House and Senate be charged with the responsibility of securing the necessary stenographic assistance and that the Board of Administration be instructed to furnish the necessary supplies.

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

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

Rep. Sandness requested that two new members be appointed to serve on the committee on printing and supplies since those first appointed were absent and the committee wished to meet with a like committee from the Senate.

The request was granted and the Speaker appointed Reps. Bymers and Haag to serve with Rep. Sandness.

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

KENNETH L. MORGAN, Chief Clerk

## FOURTH DAY

Bismarck, January 5, 1945

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

Prayer was offered by Father Ralph.

Roll call: All members present except Reps. Olson of Bowman, Arndt, Bolmeier, Brady, Crockett, Fitch, Fleck, Forseth, Haugen, Haugland, Hegge, Herk, Hovey, Isaak, Jennings, Johnson of Richland, Klefstad, Larson, Maher, Ohnstad, Olson of Barnes, Pyle, Schimke, Schmalenberger, Schnell, Schwartz, Shockman, Smart, Sticka, Thompson of Richland, Wambheim and Yirchott.

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:

Under reports of Select Committees on page 23, strike out the "colon" and add "and recommend that they be given a collective roll call." Also correct the spelling of the names "Osvald" and "Laverne" to read "Oswald" and "Levern".

On page 25, line 6, strike out the word "and" and insert a "comma."

On line 7, strike out the period, insert a comma and add "and Levern Gayman."

And when so corrected recommends that the same be approved.

WALTER BUBEL, Chairman

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

Rep. Blair moved that the name of Henry Hendrickson be stricken from the list of employees, which motion prevailed.

Rep. Bubel reported that his Committee on Enrolling and Engrossing had conferred with the Board of Administration and that they had agreed to secure the same quantity of paper as was used in the twenty-eighth session.

The report was received and the committee requested to continue to function.

Rep. Boulden moved that a committee of three be appointed to escort Mr. Ralph Beede, Speaker of the House during the Twenty-eighth Legislative Assembly, to the rostrum, which motion prevailed.

The Speaker appointed Reps. Symington, Graham and Johnson of Cass.

Mr. Beede: I certainly am deeply honored by all of this. I wasn't expecting it and I really am somewhat at a loss for words to say. I know you have in your midst a former Speaker who presided when I was here in 1941, our friend Mr. Symington and he, I am sure we all felt was entitled to the same treatment as you have accorded me had he been here at the last session.

I am pleased to be here alongside of our former co-worker, your present Speaker, Mr. Bergesen, and I know that he is going to make you a better Speaker than you had last time.

I am glad to see in your midst a representative from Grant County who is a much better man than you had last year, except for one thing—our friend Fred Seibel doesn't possess quite as much hair on his head as the former representative. Aside from that, I assure you that he is a better man.

I might say in regard to the new 1943 Code that I was a short time ago in conversation with the Knight Printing Company and they tell me that the complete set of the Code—seven volumes—has been shipped and should arrive in Fargo Saturday. They plan to put in the pockets and pamphlets containing the 1943 session laws and the 1944 special laws Monday and send at least 250 by truck at 4:00 o'clock Monday afternoon so that they should arrive here Tuesday morning. I am not saying for certain that they will arrive then, but I trust that they will.

I know you don't want to listen to a lot of long-winded discourse at this time, but I can't help but say just a few words. You know some of us are inclined to think that these state legislative assemblies are becoming somewhat of an archaic mechanism. There is a feeling that the federal government is taking on more and more of the duties belonging to the state legislators. In fact some progressive-minded people seem to have the idea that inasmuch as we abandon local self-government and turn those powers and prerogatives formerly enjoyed by the local self-government over to the federal authorities, we are making true progress in progressivism. That may be true to some extent, but I still believe that the fundamental principles of self-rule and local self-government upon which this country of ours was founded is still the fundamental principle upon which we can really build a true and enduring American progressiveness. But I do believe that it is up to the states themselves to take the required action when problems arise to be really forward-minded and progressive-looking in word, action, and deed so that there will not be the necessity of abandoning this authority to the federal government. I believe that this is really a vital issue and it is up to the members of the various state legislative assemblies to go ahead with the necessary progressive action in their own states as much as possible, in other words, tackle and solve your own state problems.

Having been a member of this legislative assembly, I feel that the members of this session want to do that and have the ability to do that. I know that the people of North Dakota have trust in all of you and I know that you are going to live up to that trust to the fullest of your ability.

In closing I want to thank you deeply for the honor you have given me and I want to again thank you for the privilege of working with you in the 1943 session.

Rep. Haag moved that the remarks of our former Speaker Beede be printed in the Journal, which motion prevailed.

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

KENNETH L. MORGAN, Chief Clerk



FOURTH DAY AFTER RECESS  
AND FIFTH DAY

Bismarck, January 6, 1945

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

Mr. Speaker: Your Committee on Employment places in nomination the following names and recommend that they be given a collective roll call:

Fred Borusky..... Doorkeeper  
Lars Soiseth..... Assistant Bill Room Clerk

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

ROLL CALL

The question being on the report of the Employment Committee, the roll was called and there were ayes, 61; nays, 0; absent and not voting, 52.

Those voting in the affirmative were:

Acheson	Fraser	Mollet
Allen, Grand Forks	Fuglestad	Monson
Allen, Pierce	Gainor	Mortenson
Anderson	Graham	Nystrom
Bagge	Grenier	Sailer
Belzer	Haag	Sandness
Benno	Halcrow	Saumur
Bjella	Halvorson	Schlafmann
Blair	Heckman	Schmidt, Morton
Boulden	Hildre	Sellens
Burau	Hofstrand	Severson
Bymers	Hogoboom	Skaar
Callahan	Langley	Stanley
Collette	Leet	Still
Dalzell	Lillehaugen	Stormon
Dittmer	Luick	Symington
Drovdal	Lysne	Tuff
Engel	McInnes	Wolf, Morton
Esterby	Moe	Wollitz
Falconer	Moerke	Mr. Speaker
Frank		

Absent and not voting:

Arndt	Isaak	Schmalenberger
Baumgartner	Jennings	Schmidt, Logan
Bolmeier	Johnson, Cass	Schnell
Boucher	Johnson, Richland	Schwartz
Brady	Klefstad	Seibel
Bubel	Larson	Sharpe
Crockett	Levin	Shockman

Devlin	Lindberg	Smart
Drawz	Maher	Stair
Ekren	Mork	Sticka
Fitch	Ohnstad	Thompson, Griggs
Fleck	Olson, Barnes	Thompson, Richl'nd
Forseth	Olson, Bowman	Wambheim
Haugen	Ostgulen	Welk
Haugland	Pyle	Westby
Hegge	Rohrer	Wolf, McIntosh
Herk	Schimke	Yirchott
Hovey		

So the employees were duly elected.

The Speaker administered the oath of office to the following employees: Beverly Young, Mrs. Irene Lere, Fred Borusky, and Lars Soiseth.

Rep. Blair moved that the names of Lucille Collette, Mamie Olson and Truman Seltveit be expunged from the employment rolls, which motion prevailed.

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

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

KENNETH L. MORGAN, Chief Clerk

#### FIFTH DAY

Bismarck, January 6, 1945

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

Prayer was offered by Rev. Daniel J. Rueb.

Roll call: All members present except Reps. Olson of Bowman, Arndt, Baumgartner, Bolmeier, Boucher, Brady, Bubel, Crockett, Devlin, Drawz, Fitch, Fleck, Forseth, Haugen, Haugland, Hegge, Herk, Hovey, Isaak, Jennings, Johnson of Cass, Johnson of Richland, Klefstad, Levin, Lindberg, Maher, Mollet, Mork, Ohnstad, Olson of Barnes, Ostgulen, Pyle, Schimke, Schmalenberger, Schmidt of Logan, Schnell, Schwartz, Seibel, Sharpe, Shockman, Smart, Stair, Sticka, Thompson of Griggs, Thompson of Richland, Wambheim, Welk, Westby, Wolf of McIntosh and Yirchott.

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:

Page 46, change the roll call to read ayes, 78; absent and not voting, 35.

On page 49, correct the word "and" in line 11.

And when corrected recommends that the same be approved.

REP. BYMERS, Acting Chairman

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

Rep. Blair moved that the House recess until 1:45 o'clock p. m., Monday, which motion prevailed and the House stood recessed.

KENNETH L. MORGAN, Chief Clerk

FIFTH DAY AFTER RECESS  
AND SEVENTH DAY

Bismarck, January 8, 1945

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

Rep. Boulden moved that the Burleigh County delegation be instructed to attend the funeral of ex-Senator James Guthrie as a special committee from the House, which motion prevailed.

The Speaker appointed Reps. Fleck, Sellens and Falconer.

The Speaker administered the oath of office to the following employees: Earl McInnes and Fred Fisher.

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

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

KENNETH L. MORGAN, Chief Clerk

SEVENTH DAY

Bismarck, January 8, 1945

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

Prayer offered by Rev. Daniel J. Rueb.

Roll call: All members present except Reps. Olson of Bowman, Bjella, Bolmeier, Brady, Bubel, Dittmer, Drawz, Ekren, Fitch, Fraser, Haugen, Hegge, Hildre, Isaak, Jennings, Johnson of Richland, Klefstad, Larson, Levin, Lindberg, Maher, Moerke, Ohnstad, Ostgulen, Sailer, Schimke, Seibel, Shockman, Smart, Thompson of Griggs, Wambheim, Yirchott and Olson of Barnes.

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:

On line 6, correct the spelling of "Borusyk" to "Borusky".

And when so corrected recommends that the same be approved.

REP. BYMERS, Acting Chairman

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

Rep. Benno moved that a committee of three be appointed to act with a like committee from the Senate to make the

necessary preparations for a joint memorial service for the late L. L. Twitchell, which motion prevailed.

The Speaker appointed Reps. Benno, Fleck and Ohnstad.

The Speaker announced the following committee appointments:

**APPROPRIATIONS:** Johnson of Cass, Chairman; Symington, Vice Chairman; Allen of Grand Forks, Bjella, Callahan, Collette, Olson of Barnes, Luick, Smart, Stormon, Wambheim, Severson, Stair, Haag, Lillehaugen, Wolf of Morton, Sticka, Heckman, Graham.

**RULES:** Symington, Chairman; Fitch, Vice Chairman; Hovel, McInnes, Bolmeier, Johnson of Richland, Monson, Graham, Schmidt of Morton.

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

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

KENNETH L. MORGAN, Chief Clerk

SEVENTH DAY AFTER RECESS  
AND EIGHTH DAY

Bismarck, January 9, 1945

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

## REPORTS OF SELECT COMMITTEES

Mr. Speaker: Your Committee on Employment places in nomination the following names:

John Byrne.....	Messenger to the Senate
Doris Bronaugh.....	Committee Clerk
Agnes Sailer.....	Assistant Mailing Clerk

REP. BLAIR, Chairman

## ROLL CALL

The question being on the report of the Employment Committee the roll was called and there were ayes, 85; nays, 0; absent and not voting, 28.

Those voting in the affirmative were:

Acheson	Gainor	Sandness
Allen, Grand Forks	Graham	Saumur
Allen, Pierce	Grenier	Schlafmann
Anderson	Haag	Schmalenberger
Arndt	Halcrow	Schmidt, Logan
Bagge	Halvorson	Schmidt, Morton
Belzer	Haugland	Schnell
Benno	Heckman	Schwartz
Blair	Herk	Sellens
Boucher	Hildre	Severson
Boulden	Hofstrand	Sharpe
Bubel	Hogoboom	Skaar
Bureau	Hovey	Smart
Bymers	Johnson, Richland	Stair
Callahan	Langley	Stanley
Collette	Leet	Sticka
Crockett	Lillehaugen	Still
Dalzell	Lysne	Stormon
Devlin	McInnes	Symington
Dittmer	Maher	Thompson, Richl'nd
Drovdal	Moe	Tuff
Engel	Mork	Welk
Esterby	Mortenson	Westby
Falconer	Nystrom	Wolf, McIntosh
Fitch	Olson, Barnes	Wolf, Morton
Fleck	Pyle	Wollitz
Forseth	Rohrer	Yirchott
Frank	Sailer	Mr. Speaker
Fuglestad		

## Absent and not voting:

Baumgartner	Jennings	Monson
Bjella	Johnson, Cass	Ohnstad
Bolmeier	Klefstad	Olson, Bowman
Brady	Larson	Ostgulen
Drawz	Levin	Schimke
Ekren	Lindberg	Seibel
Fraser	Luick	Shockman
Haugen	Moerke	Thompson, Griggs
Hegge	Mollet	Wambheim
Isaak		

So the employees were duly elected.

Rep. Boulden reported that the Committee of the House to arrange for Chaplains had met with a like committee from the Senate and accepted the schedule as prepared by Rev. Paul G. Hayes for the Bismarck Ministerial Association.

Rep. Boulden moved that the schedule be printed in the Journal of the House and that a collective roll call be taken on the employment of the Chaplains.

#### 1945 SCHEDULE FOR LEGISLATIVE CHAPLAINCY Bismarck and Mandan Ministers

Ministers who had seven listings in 1943 have been given eight in 1945 and vice versa.

Each minister is requested on the last day he serves to call the next minister on the phone and remind him that his time for service has arrived.

If any minister cannot serve at the time scheduled, he will make his own arrangement with another minister on this list.

One Sunday has been apportioned to each minister on the list.

List prepared by Rev. Paul G. Hayes for the Bismarck Ministerial Association.

January 2, 3, 4, 5—

Senate: Rev. T. W. Tysdal (Bis. 237) Trinity Lutheran, Bismarck; House: Father Justine Luetmer (Man. 113) St. Joseph's, Mandan.

January 6, 7, 8, 9—

Senate: Rev. G. A. Johns (Bis. 659) First Lutheran, Bismarck; House: Rev. Daniel J. Rueb (Bis. 2842) First Baptist, Bismarck.

January 10, 11, 12, 13—

Senate: Rev. G. W. Stewart (Man. 328) Presbyterian, Mandan; House: Rev. Paul G. Hayes (Bis. 556) McCabe Methodist, Bismarck.

January 14, 15, 16, 17—

Senate: Rev. Claude Pearson (Man. 730) Methodist, Mandan; House: Rev. A. E. Smith (Bis. 1340) St. George's, Bismarck.

January 18, 19, 20—

Senate: Rev. N. E. Elsworth (Bis. 2978-J) Christ Episcopal, Mandan; House: Rev. J. C. Schweitzer (Bis. 2691-W) Bismarck Baptist.

January 21, 22, 23, 24—

Senate: Major Walter Lee (Bis. 521) Salvation Army, Bismarck; House: Father R. A. Feehan (Bis. 760) St. Mary's, Bismarck.

January 25, 26, 27, 28—

Senate: Rev. George H. Mittag (Bis. 1472) Evangelical, Bismarck; House: Rev. G. W. Stewart (Man. 328) Presbyterian, Mandan.

January 29, 30, 31—

Senate: Father R. A. Feehan (Bis. 760) St. Mary's, Bismarck; House: Rev. Claude Pearson (Man. 730) Methodist, Mandan.

February 1, 2, 3, 4—

Senate: Rev. J. C. Schweitzer (Bis. 2691-W) Bismarck Baptist; House: Rev. O. O. Andvik (Man. 527) Lutheran Church, Mandan.

February 5, 6, 7—

Senate: Rev. Laten E. Teare (Bis. 235) Nazarene Church, Bismarck; House: Rev. George H. Mittag (Bis. 1472) Evangelical, Bismarck.

February 8, 9, 10, 11—

Senate: Pastor in Charge (Bis. 1886) Presbyterian, Bismarck; House: Rev. T. W. Tysdal (Bis. 237 & 642) Trinity Lutheran, Bismarck.

February 12, 13, 14—

Senate: Rev. O. O. Andvik (Man. 527) Lutheran Church, Mandan; House: Major Walter Lee (Bis. 521) Salvation Army, Bismarck.

February 15, 16, 17, 18—

Senate: Rev. Paul G. Hayes (Bis. 556) McCabe Methodist, Bismarck; House: Rev. N. E. Elsworth (Bis. 2978-J) Christ Episcopal, Mandan.

February 19, 20, 21, 22—

Senate: Rev. A. E. Smith (Bis. 1340) St. George's, Bismarck; House: Rev. G. A. Johns (Bis. 659) First Lutheran, Bismarck.

February 23, 24, 25, 26—

Senate: Father Justine Luetmer (Man. 113) St. Joseph's, Mandan; House: Rev. Laten E. Teare (Bis. 235) Nazarene Church, Bismarck.

February 27, 28; March 1, 2—

Senate: Rev. Daniel J. Rueb (Bis. 2842) First Baptist, Bismarck; House: Pastor in Charge (Bis. 1886) Presbyterian, Bismarck.

#### ROLL CALL

The question being on the report of the committee on employment of Chaplains, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 27.

Those voting in the affirmative were:

Acheson	Gainor	Sailer
Allen, Grand Forks	Graham	Saumur
Allen, Pierce	Grenier	Schlafmann
Anderson	Haag	Schmalenberger
Arndt	Halcrow	Schmidt, Logan
Bagge	Halvorson	• Schmidt, Morton
Belzer	Haugland	Schnell
Benno	Heckman	Schwartz
Blair	Herk	Sellens
Boucher	Hildre	Severson
Boulden	Hofstrand	Sharpe
Bubel	Hogoboom	Skaar
Bureau	Hovey	Smart
Bymers	Johnson, Cass	Stair

Callahan	Johnson, Richland	Stanley
Collette	Langley	Sticka
Crockett	Leet	Still
Dalzell	Lillehaugen	Stormon
Devlin	Lysne	Symington
Dittmer	McInnes	Thompson, Richl'nd
Drovdal	Maher	Tuff
Engel	Moe	Welk
Esterby	Mollet	Westby
Falconer	Mork	Wolf, McIntosh
Fitch	Mortenson	Wolf, Morton
Fleck	Nystrom	Wollitz
Forseth	Olson, Barnes	Yirchott
Frank	Pyle	Mr. Speaker
Fuglestad	Rohrer	
Absent and not voting:		
Baumgartner	Isaak	Ohnstad
Bjella	Jennings	Olson, Bowman
Bolmeier	Klefstad	Ostgulen
Brady	Larson	Sandness
Drawz	Levin	Schinke
Ekren	Lindberg	Seibel
Fraser	Luick	Shockman
Haugen	Moerke	Thompson, Griggs
Hegge	Monson	Wambheim

So the report was adopted.

Rep. Boulden moved that the committee on employment of Chaplains be discharged, which motion prevailed.

#### REPORT OF THE JOINT COMMITTEE ON PRINTING

Your Committee on Public Printing of the House, meeting with a like committee of the Senate 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 the 2500 copies of the Journal of each day's proceedings of each house and that there be assigned to the presiding officer of the House and Senate, also to each member of the respective houses, not to exceed 10 copies of the Journal to be sent only to constituents who request same; that there also be placed on the mailing list all state institutions, public libraries, the State Historical Society, all state's attorneys, county auditors, two copies to the University Law School, and by request in writing to county and district judges, any newspaper published in the state, any secretary of a county taxpayers association, any auditor of an incorporated city, the president of the village board of an incorporated village, township clerk, high school, consolidated rural school, secretary of labor club, farmer's organization, commercial club or women's club within the state may be placed on the mailing list; that all bills and journals authorized by this joint resolution to be printed shall be delivered by the printer to the Secretary of the Publications and Printing Commission who shall receipt therefor to the printer; that there shall be printed 600 copies of the House and Senate Bills unless otherwise ordered by the house in which a bill is introduced; that 500 copies of the Daily Journal be punched; that 500 copies of the Daily Calendar be printed and punched; that all resolutions, except memorial resolu-



tions, requiring action by either house, be printed and numbered or lettered in bill form and shall not be printed in the journal unless by order of the house in which they were introduced; that 8,000 letterheads and 6,000 number ten envelopes and 4,000 number six and one-half envelopes be printed for the Senate; that 15,000 letterheads and 15,000 number ten envelopes and 5,000 number six and one-half envelopes be printed for the House; that the form of the Journal and the Calendar be the same as was adopted for the 1943 session.

P. G. WESTBY, Chairman  
House Printing Committee

FRANK H. BEATON, Chairman  
Senate Printing Committee

Rep. Crockett moved that the report be adopted.

#### ROLL CALL

The question being on the report of the Joint Committee on Printing, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 27.

Those voting in the affirmative were:

Acheson	Graham	Sailer
Allen, Grand Forks	Grenier	Saumur
Allen, Pierce	Haag	Schlafmann
Anderson	Halcrow	Schmalenberger
Arndt	Halvorson	Schmidt, Logan
Bagge	Haugland	Schmidt, Morton
Belzer	Heckman	Schnell
Blair	Herk	Schwartz
Boucher	Hildre	Sellens
Boulden	Hofstrand	Severson
Bubel	Hogoboom	Sharpe
Bureau	Hovey	Skaar
Bymers	Johnson, Cass	Smart
Callahan	Johnson, Richland	Stair
Collette	Klefstad	Stanley
Crockett	Langley	Sticka
Dalzell	Leet	Still
Devlin	Lillehaugen	Stormon
Dittmer	Lysne	Symington
Drovdal	McInnes	Thompson, Richl'nd
Engel	Maher	Tuff
Esterby	Moe	Welk
Falconer	Mollet	Westby
Fitch	Mork	Wolf, McIntosh
Fleck	Mortenson	Wolf, Morton
Forseth	Nystrom	Wollitz
Frank	Olson, Barnes	Yirchott
Fuglestad	Pyle	Mr. Speaker
Gainor	Rohrer	
Absent and not voting:		
Baumgartner	Hegge	Ohnstad
Benno	Isaak	Olson, Bowman
Bjella	Jennings	Ostgulen
Bolmeier	Larson	Sandness
Brady	Levin	Schimke
Drawz	Lindberg	Seibel
Ekren	Luick	Shockman

Fraser  
Haugen

Moerke  
Monson

Thompson, Griggs  
Wambheim

So the report was adopted.

Mr. Speaker: Your Committee on Committee Rooms wishes to report the following:

Agriculture.....	G-I
Appropriations.....	Blue Room or Lounge
Apportionment.....	House Floor
Banks and Banking.....	G-6
Cities and Municipal.....	Left Balcony Room 211
Rules.....	Left Balcony Room 211
Corporations Other Than Municipal.....	Left Balcony Room 211
Counties.....	Left Balcony Room 211
Drainage and Irrigation.....	Senate Balcony Room 201
Education.....	Tenth Floor
Election and Election Privileges.....	Left Balcony Room 210
Enrollment and Engrossment.....	Stenographer Room, Ground A
Federal Relations.....	Left Balcony Room 210
Game and Fish.....	Senate Balcony 201
Highways and Bridges.....	G-6
Insurance.....	Right Balcony 209
Judiciary.....	Right Balcony 209
Livestock.....	G-I
Military Affairs.....	Right Balcony 209
Mines and Mining.....	Right Balcony 209
Public Debt.....	Right Balcony 208
Public Health.....	Right Balcony 209
Public Safety.....	Hearing Room
Public Welfare.....	Right Balcony 208
Schools and Public Lands.....	Left Balcony 210
State Affairs.....	G-2
Tax and Tax Laws.....	G-3
Temperance.....	Hearing Room
Warehouse and Grain Grading.....	Right Balcony 209
Ways and Means.....	G-6

REP. BENNO, Chairman

Rep. Benno moved that the report be adopted and that it be printed in the Book of Rules, which motion prevailed.

The oath of office was administered by the Speaker to the following employees: Mrs. Alice Kramer, John Byrne and Agnes Sailer.

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

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

KENNETH L. MORGAN, Chief Clerk

#### EIGHTH DAY

Bismarck, January 9, 1945

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

Prayer was offered by Rev. Daniel J. Rueb.

Roll call: All members present except Reps. Olson of Bowman, Bjella, Bolmeier, Brady, Drawz, Ekren, Haugen, Hegge, Isaak, Jennings, Klefstad, Larson, Levin, Lindberg, Luick, Moerke, Monson, Ohnstad, Ostgulen, Schimke, Seibel, Shockman, Thompson of Griggs and Wambheim.

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

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

WALTER BUBEL, Chairman.

Rep. Hovey moved that the report be amended to correct the typographical error in the spelling of his name on page 54, which motion prevailed.

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

Rep. Boulden moved that a committee of seven be appointed by the Speaker to serve as a Twichell Memorial Committee on behalf of the House of Representatives, which motion prevailed.

The Speaker appointed on such committee Reps. Benno, Johnson of Cass, Fleck, Crockett, Saumur, Schnell and Ohnstad.

Speaker Bergesen: As you all perhaps are aware, we have in our midst a member who during the last session in which he served, was your Speaker. I refer to Rep. Symington. I feel that it is entirely in order for the members of this House to indicate some appreciation of the fact that he was willing, after having served as Speaker, to return to make his contribution and help us in the work of this session.

Rep. Falconer moved that the Speaker appoint a committee of three to escort Rep. Symington, former Speaker of the House, to the rostrum, which motion prevailed.

The Speaker appointed Reps. Dalzell and Halcrow, being members from the same district, and Rep. Crockett, being another ex-Speaker of the House.

Mr. Symington was escorted to the rostrum and addressed the House.

Rep. Symington: Mr. Speaker and Members of the House, I don't know why Mr. Bergesen pulled this on me. I expect to be here with you for the next sixty days and it is true, I was Speaker in the Session of 1941. I first came down here as a member of the House in the Session of 1933 and in looking over this body this afternoon, I see very few members who were here at that time and those few, like myself, have not been here continuously.

The folks who send us down here have the power and right to send us here and to take us away and send us back again and I hope that the power and right shall never be taken away from them.

The friendships I have formed at these sessions I shall always cherish and right now I would like to mention how memories and friendships do travel.

Just before I left home, one of my neighbors received a letter from one of his boys who is in the Southwest Pacific. He had met in a USO center a former member of this House who was here in 1935 and who wished to send greetings to me. That former member was Earle Clark.

We meet here every two years for sixty days to make new friendships, to discuss our problems and to learn to trust one another. We do that more or less nationally with the United States Senators and Representatives and, I was

wondering why this could not be worked out internationally so that we would not be thrown into a conflict every twenty-five years. If they could meet as we do to discuss their problems, get a better feeling and understanding and create a better friendship—it would take away all this fear of one nation for another.

We will have many bills before us at this session that will have to be considered. We have a new Code, the first since 1895, and I think it is very important that all Bills be carefully considered so they will fit into this new Code so we will not find ourselves in the same position we were in several years ago and have to revise the Code again. Therefore, I think it very fitting that we take particular pains in the introduction of Bills.

I appreciate the honor very much of having been your former Speaker and I am again honored to have been sent down here to represent my county in this body. I thank you.

Rep. McInnes moved that the remarks of Rep. Symington, our former Speaker, be printed in the Journal, which motion prevailed.

Rep. Blair called the attention of the House to the fact that we have but one lady member of this House, stating he believed it only just and proper that she be provided with a cloakroom suitable for her use while she is attending this session.

The Speaker instructed the Employment Committee, of which Rep. Blair is chairman, to see that suitable arrangements are provided.

Rep. Fitch moved that the House recess twenty minutes, which motion prevailed.

The House was called to order pursuant to recess taken.

Speaker Bergesen: I confess that I never before realized the tremendous responsibility placed upon one who attempts to make the assignments for the committee memberships and tries to consider all of the factors that are involved and do justice to everyone.

I am by no means infallible and I anticipate that everyone will not be satisfied. As a matter of fact, it is absolutely impossible to satisfy everyone. If I were to go upon the basis of your requests, I would have an impossible situation. For instance, the committee on agriculture has, I believe, 17 members and there were nearly 35 requests for that committee. The same is true of the committee on livestock. Then, of course, there are other committees that had only one or two requests and some not any. Therefore, you are bound to get some committees that you did not ask for.

There are many factors to consider—one of the factors naturally in a legislative body where you have two or more factions, is responsibility. The group that happens to be in the majority is the group that more or less has the responsibility and that factor alone makes it more difficult. I mention the fact that in this session we have a situation where we have a minority with almost as many members as the majority and yet the larger group has the more responsibility—it certainly has. But there are certain committees in which there naturally arise matters of controversy on a factional or political basis. I notice over across the corridor that there is quite a discussion going on as to the membership on committees such as appropriations and state

affairs and that the majority representation seems to be on a basis of 12 and 5. I have not seen fit to divide on that basis on appropriations or state affairs even though these are committees that have factional differences. I made it on a basis of 12 and 7. On the other hand, you may have controversies arising that are not of a political nature. For instance, agriculture and livestock—now there, the minority representatives have much the same viewpoints as the farmers of the majority faction. I fail to see where there could be anything factional about it. You may have differences of opinion, but it is on an agricultural basis. On those committees I have made the division 9 and 8 with only one for the majority faction.

I call your attention to another factor to be considered. We have a committee on game and fish. That never was considered such an important committee, but it is becoming more and more popular. This year, although there are only 9 places on this committee, there were 20 requests. A more interesting or, in a sense, confusing fact developed when I checked up to see from where the requests came. I had set that down as a committee which would be divided on a basis of 5 and 4. Out of 20 requests, 15 came from the majority faction and 5 from the minority. I tried to divide this on the basis of the sources of the requests. I changed one each way, or 6 and 3.

Drainage and Irrigation has become very popular and very important and there are only 11 members provided for on that committee. There are 26 requests for that committee and I could give only 11. I cite these matters to give you some idea of the difficulties that arise and hope, regardless of the faction to which he belongs or even if he is serving his first session, no member receives less than 4 appointments and no member received more than 6. It has been equalized in between there. Possibly the greatest number of appointments will be on the basis of 5.

I have done that by taking advantage of the fact that there are quite a few joint committees. I have taken it upon myself to give the majority of the representation on seven of these committees to the minority. It possibly does not add anything to the duties and responsibilities of those who have the assignments, but I felt that back home in your own districts it means something to you if we work it out on that basis and you would all have at least 4 assignments.

I have done more than that. On 7 of the joint committees I have given the chairmanship to members of the minority faction and the vice-chairmanship also in 6 of them. I did that as a gesture of goodwill. After consultation with many of the members of the majority faction, Rep. Schnell is made chairman of the committee on livestock. Again it is a gesture of goodwill; an indication of our hope that we shall be able to work along harmoniously and carry out a constructive program for the welfare of the people of the State of North Dakota. We realize, of course, that we have differences, but we feel that they are honest differences. On most things we should be able to work out those differences.

Honest, intelligent people getting together, by a co-mingling of their ideas, working toward common ends, should be able to work out something that is for the good of all.

I might add that I conferred with a large number of the

majority faction and particularly with those who were to be made chairmen of the committees. I just want to add that Rep. Ohnstad, because of his ability and the sense of fairness that he has always displayed, was about the most sought for member of the minority faction. There were so many chairmen who wanted his services that I had to dis-appoint some of them.

With these words of explanation I will have the clerk read the committee appointments including those that were read yesterday:

#### HOUSE COMMITTEES—1945

**AGRICULTURE:** Chairman, Bymers; Vice Chairman, Dalzell; Drawz, Gainor, Hogoboom, Moe, Pyle, Stormon, Olson of Bowman, Anderson, Baumgartner, Engel, Haag, Levin, Maher, Jennings, Grenier.

**APPORTIONMENT:** Chairman, Stormon; Vice Chairman, Bjella; Dalzell, Collette, Boulden, Saumur, Allen of Grand Forks, Bagge, Johnson of Cass, Pyle, Bolmeier, Luick, Gainor, Severson, Olson of Barnes, Thompson of Griggs, Hildre, Callahan, Langley, Arndt, Sandness, Bymers, Haugland, Nystrom, Herk, Olson of Bowman, Allen of Pierce, Sailer, Mortenson, Levin, Grenier, Hofstrand, Welk, Falconer, Stair, Mork, Schmalenberger, Schimke, Halverson, Engel, Haag, Thompson of Richland, Burau, Anderson, Ostgulen, Moerke, Haugen, Seibel, Schwartz.

**APPROPRIATIONS:** Chairman, Johnson of Cass; Vice Chairman, Symington; Allen of Grand Forks, Bjella, Callahan, Collette, Olson of Barnes, Luick, Smart, Stormon, Wambheim, Severson, Stair, Haag, Lillehaugen, Wolf of Morton, Sticka, Heckman, Graham.

**BANKS AND BANKING:** Chairman, Callahan; Vice Chairman, Johnson of Richland; Brady, Arndt, Fleck, Klefstad, Westby, Benno, McInnes, Lysne, Drovdal, Forseth, Grenier, Jennings, Ohnstad, Shockman, Wolf of Morton.

**CITIES AND MUNICIPAL CORPORATIONS:** Chairman, Olson of Barnes; Vice Chairman, Hovey; Hildre, Wambheim, Klefstad, Stanley, Symington, Devlin, Wolf of Morton, Isaak, Dittmer.

**CORPORATIONS OTHER THAN MUNICIPAL:** Chairman, Sharpe; Vice Chairman, Callahan; Klefstad, Blair, Fitch, Fuglestad, Boucher, Maher, Monson.

**COUNTIES:** Chairman, Smart; Vice Chairman, Bagge; Olson of Bowman, Bolmeier, Drawz, Stanley, Forseth, Devlin, Mortenson.

**DELAYED BILLS:** Chairman, Saumur; Vice Chairman, Gainor; Blair, Heckman, Levin.

**DRAINAGE AND IRRIGATION:** Chairman, Sailer; Vice Chairman, Pyle; Collette, Halcrow, Haugland, Luick, Bagge, Crockett, Mollet, Schlafmann, Schmalenberger.

**EDUCATION:** Chairman, Langley; Vice Chairman, Sandness; Hildre, Ekren, Gainor, Halcrow, Sharpe, Stanley, Wambheim, Skaar, Haugen, Heckman, Hofstrand, Lillehaugen, Monson, Mork, Ohnstad.

**ELECTION AND ELECTION PRIVILEGES:** Chairman, Boulden; Vice Chairman, Hogoboom; Arndt, Langley, Stormon, Callahan, Herk, Johnson of Richland, McInnes, Monson, Thompson of Richland, Wolf of McIntosh, Esterby, Schnell, Acheson.

**ENGROSSMENT AND ENROLLMENT:** Chairman, Leet; Vice Chairman, Allen of Grand Forks; Collette, Herk, Moe, Bubel, Burau, Esterby, Belzer.

**FEDERAL RELATIONS:** Chairman, Hovey; Vice Chairman, Ekren; Yirchott, Fleck, Bjella, Devlin, Maher.

**GAME AND FISH:** Chairman, Benno; Vice Chairman, Fleck; Brady, Bymers, Klefstad, Saumur, Moerke, Schmalenberger, Tuff.

**HIGHWAYS AND BRIDGES:** Chairman, Bagge; Vice Chairman, Severson; Boulden, Fleck, Hogoboom, Luick, Sharpe, Yirchott, Sailer, Lysne, Sandness, Anderson, Boucher, Hegge, Schimke, Schwartz, Thompson of Richland.

**INSURANCE:** Chairman, Allen of Grand Forks; Vice Chairman, Sharpe; Bagge, Blair, Boulden, Callahan, Fitch, Moe, Sailer, Leet, Crockett, Mollet, Mortenson, Schimke, Seibel, Wolf of Morton, Moerke.

**JUDICIARY:** Chairman, Johnson of Richland; Vice Chairman, Nystrom; Blair, Bjella, Leet, McInnes, Symington, Wambheim, Sellens, Allen of Pierce, Yirchott, Graham, Jennings, Mollet, Ohnstad, Rohrer, Schwartz, Schimke, Stair.

**LIVESTOCK:** Chairman, Schnell; Vice Chairman, Sellens; Fuglestad, Allen of Pierce, Ekren, Haugland, Saumur, Stanley, Wollitz, Lysne, Drovdal, Frank, Halverson, Hofstrand, Seibel, Schmidt of Logan, Welk.

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

**MILITARY AFFAIRS:** Chairman, Severson; Vice Chairman, Bolmeier; Fitch, Thompson of Griggs, Luick, Falconer, Mortenson, Welk, Hegge.

**MINES AND MINING:** Chairman, Fleck; Vice Chairman, Sailer; Smart, Still, Severson, Hogoboom, Isaak, Hegge, Ostgulen.

**PUBLIC DEBT:** Chairman, Hildre; Vice Chairman, Johnson of Cass; Drawz, Fuglestad, Leet, Lysne, Acheson, Baumgartner, Belzer, Burau, Ohnstad.

**PUBLIC HEALTH:** Chairman, Nystrom; Vice Chairman, Moe; Benno, Wambheim, Olson of Bowman, Sandness, Fraser, Moerke, Schmidt of Morton.

**PUBLIC PRINTING:** Chairman, Arndt; Vice Chairman, Allen of Pierce; Thompson of Griggs, Johnson of Cass, Moe, Frank, Forseth, Sticka, Larson.

**PUBLIC SAFETY:** Chairman, Westby; Vice Chairman, Bymers; Stormon, Symington, Yirchott, Schmidt of Logan, Shockman, Stair, Tuff.

**PUBLIC WELFARE:** Chairman, Haugland; Vice Chairman, Sellens; Langley, Pyle, Wollitz, Allen of Grand Forks, Bjella, Halcrow, Bagge, Still, Devlin, Falconer, Heckman, Schmalenberger, Boucher, Schlafmann, Frank.

**RAILROADS:** Chairman, Collette; Vice Chairman, Westby; Johnson of Cass, Olson of Barnes, Skaar, Allen of Grand Forks, Hildre, Baumgartner, Engel, Graham, Larson, Lindberg, Mork.

**REVISION AND CORRECTION OF JOURNAL:** Chairman, Fuglestad; Vice Chairman, Halcrow; Dalzell, Gainor, Bubel, Devlin, Forseth.

**RULES:** Chairman, Symington; Vice Chairman, Fitch; Hovey, McInnes, Bolmeier, Johnson of Richland, Graham, Monson, Schmidt of Morton.

**SCHOOL AND PUBLIC LAND:** Chairman, Sandness; Vice Chairman, Leet; Benno, Drawz, Sellens, Schnell, Acheson, Anderson, Belzer.

**STATE AFFAIRS:** Chairman, Bolmeier; Vice Chairman, Saumur; Brady, Dalzell, Haugland, Herk, Leet, Nystrom, Sailer, Sandness, Sellens, Westby, Levin, Schnell, Fraser, Halverson, Wolf of McIntosh, Drovdal, Falconer.

**TAX AND TAX LAWS:** Chairman, McInnes; Vice Chairman, Johnson of Richland; Boulden, Arndt, Bymers, Hovey, Langley, Sharpe, Skaar, Still, Dittmer, Haugen, Mollet, Seibel, Sticka, Wolf of McIntosh, Ohnstad.

**TEMPERANCE:** Chairman, Allen of Pierce; Vice Chairman, Smart; Fitch, Halcrow, Fuglestad, Boulden, Olson of Barnes, Nystrom, Larson, Lillehaugen, Lindberg, Mortenson, Ostgulen, Rohrer, Haag.

**WAREHOUSE AND GRAIN GRADING:** Chairman, Blair; Vice Chairman, Moe; Skaar, Hovey, Olson of Bowman, Sharpe, Wollitz, Brady, Bymers, Dittmer, Esterby, Isaak, Schlafmann, Schmidt of Logan, Schmidt of Morton, Shockman, Tuff.

**WAYS AND MEANS:** Chairman, Fitch; Vice Chairman, Benno; Ekren, Hogoboom, Pyle, Still, Thompson of Griggs, Wollitz, Westby, Bubel, Crockett, Fraser, Lindberg, Ostgulen, Rohrer.

#### JOINT COMMITTEES—1945

**JOINT COMMITTEE ON RULES:** Chairman, Symington; Vice Chairman, Hovey; McInnes, Bolmeier, Johnson of Richland, Graham, Monson.

**JOINT COMMITTEE ON CHARITABLE INSTITUTIONS:** Chairman, Bubel; Vice Chairman, Baumgartner; Acheson, Boucher, Brady, Herk, Benno.

**JOINT COMMITTEE ON EDUCATIONAL INSTITUTIONS:** Chairman, Hofstrand; Vice Chairman, Haugland; Belzer, Burau, Dittmer, Engel, Klefstad.

**JOINT COMMITTEE ON PENAL INSTITUTIONS:** Chairman, Crockett; Vice Chairman, Jennings; Esterby, Frank, Grenier, Olson of Barnes, Skaar.

**JOINT COMMITTEE ON INSURANCE:** Chairman, Drovdal; Vice Chairman, Hegge; Tuff, Larson, Lindberg, Maher, Stanley, Still, Thompson of Griggs, Wambheim, Wollitz.

**JOINT COMMITTEE ON LABOR:** Chairman, Halverson; Vice Chairman, Wolf of McIntosh; Anderson, Schlafmann, Mork, Thompson of Richland, Pyle.

**JOINT COMMITTEE ON PUBLIC BUILDINGS:** Chairman, Haugen; Vice Chairman, Fraser; Rohrer, Welk, Schmidt of Logan, Stormon, Yirchott.

**JOINT COMMITTEE ON STATE LIBRARY:** Chairman, Lillehaugen; Vice Chairman, Isaak; Schmidt of Morton, Schwartz, Shockman, Langley, Smart.

The Speaker announced that in case a member wishes to exchange his committee assignment with another member it will be required that he secure the approval of the Chairmen of the two respective committees.

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

KENNETH L. MORGAN, Chief Clerk



EIGHTH DAY AFTER RECESS  
AND NINTH DAY

Bismarck, January 10, 1945

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

Rep. Blair moved that the name of Carl Lindbergh, night watchman, be stricken from the record as an employee of the House, since his services are no longer needed, which motion prevailed.

Rep. Sailer reported for the Committee on Telephones that the necessary telephones have now been installed; and that the committee recommend that all official long distance calls be cleared through the House telephone attendant, and moved that the report and recommendations be adopted, which motion prevailed.

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

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

KENNETH L. MORGAN, Chief Clerk.

NINTH DAY

Bismarck, January 10, 1945

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

Prayer was offered by Rev. Paul G. Hayes.

Roll call: All members present except Reps. Olson of Bowman, Baumgartner, Brady, Callahan, Crockett, Forseth, Halvorson, Hegge, Isaak, Jennings, Johnson of Cass, Klefstad, Larson, Luick, Mork, Ohnstad, Schimke, Shockman, Stanley, Thompson of Griggs and Wambheim.

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

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

Correct the typographical error in the spelling of "Doris Bronaugh" on page 1 to "Doris Bronaugh".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

#### FIRST READING OF HOUSE BILLS

The Committee on Appropriations introduced:

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

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

The Committee on Appropriations introduced:

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

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

The Committee on Appropriations introduced:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

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

The Committee on Appropriations introduced:

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

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

The Committee on Appropriations introduced:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

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

The Committee on Appropriations introduced:

House Bill No. 6. A Bill for an Act Making an Appropriation to Pay for the Improvements of the Property for Military Uses on Rock Island, Ramsey County, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

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

The Committee on Appropriations introduced:

House Bill No. 8. A Bill for an Act Making an Appropria-

tion for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

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

The Committee on Appropriations introduced:

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

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

The Committee on Appropriations introduced:

House Bill No. 10. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

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

The Committee on Appropriations introduced:

House Bill No. 11. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

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

The Committee on Appropriations introduced:

House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

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

The Committee on Appropriations introduced:

House Bill No. 13. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

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

The Committee on Appropriations introduced:

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

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

The Committee on Appropriations introduced:

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

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

The Committee on Appropriations introduced:

House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

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

The Committee on Appropriations introduced:

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

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

The Committee on Appropriations introduced:

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 24. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

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

The Committee on Appropriations introduced:

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

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

The Committee on Appropriations introduced:

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

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

The Committee on Appropriations introduced:

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

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

The Committee on Appropriations introduced:

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

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

The Committee on Appropriations introduced:

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

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

The Committee on Appropriations introduced:

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

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

The Committee on Appropriations introduced:

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

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

The Committee on Appropriations introduced:

House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

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

The Committee on Appropriations introduced:

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

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

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

Rep. Graham moved that a Joint Session of the Legislature be arranged to appropriately recognize one of our North Dakota men who is nationally known, namely, Prof. A. G. Arvold of the North Dakota Agricultural College. Prof. Arvold is known as the founder of the Little Country Theater and at present is the Imperial Potentate of the Order of the Shrine; that Prof. Arvold be invited to address the Joint Assembly and that a committee of three be appointed by the Speaker to confer with a like committee from the Senate to complete the necessary arrangements, which motion prevailed.

The Speaker appointed on such committee Reps. Graham, Johnson of Richland and Johnson of Cass.

Rep. Wolf of McIntosh moved that the House recess until 1:45 o'clock p. m., tomorrow, which motion prevailed and the House stood recessed.

KENNETH L. MORGAN, Chief Clerk.

NINTH DAY AFTER RECESS  
AND TENTH DAY

Bismarck, January 11, 1945

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

PETITIONS AND COMMUNICATIONS

We the undersigned Board of County Commissioners of Cavalier County, North Dakota, in regular session assembled at Langdon, North Dakota, this 5th day of January, 1945, wish to hereby make the following suggestions or recommendations to the 29th session of the Legislative Assembly of North Dakota:

That the necessary legislation be enacted to provide for a taxable assessment base at the full 100% assessed valuation as finally determined by the State Board of Equalization, instead of the 50% basis in use under the present law of the State. In order to provide an adequate base for producing the necessary revenues for the minimum needs of the Schools of the State and to avoid the necessity of many of the Schools going into debt and consequently paying interest on bond issues, etc.

To enact necessary legislation, providing for the State Examiner to make two examinations a year of the county offices instead of one and discontinue the necessity of the County Commissioners making any such examination.

To enact proper legislation, exempting the requirements of any person in the services of the armed forces of the United States to secure an automobile or Motor Vehicle License while any such vehicle that is owned by such persons are not in use.

To enact proper legislation regarding the payment of taxes on lands sold by the State through the State Land Department of the State Treasurer as agent for the State providing that such lands shall be subject to taxation and the same laws and penalties as other lands owned by private or other owners in this state. Under the present law it appears to be permissible for any person purchasing land from the State, either through the State Land Department or the Bank of North Dakota, to perform in such a manner that the payment of taxes can be avoided.

We strongly recommend that laws be enacted to stop this practice which apparently is a fraud and a great injustice to the interested taxpayer who cannot avail himself of such privileges.

Also to enact legislation that will provide for all Taxing

Districts within a County to share equally in the benefits of Railroad and Utilities taxes collected.

THE BOARD OF COUNTY COMMISSIONERS  
OF CAVALIER COUNTY, NORTH DAKOTA

Signed:

ANDY JOHNSON  
PETER BERNARDY  
VERN SHERATT  
HARVEY BRUSSEAU  
W. J. MURIE

Rep. Crockett moved that the communication be printed in the Journal, which motion prevailed.

The communication was referred to the Committee on Tax and Tax Laws.

Rep. Graham made the following report: Your committee appointed to confer with a like committee from the Senate to arrange for a Joint Session of the House and Senate to hear Prof. Arvold, have met and have taken the matter up with Prof. Arvold. He will be in Bismarck on Tuesday, January 16th, and will be glad to address the Joint Assembly at 3:00 o'clock that afternoon.

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

HOUSE OF REPRESENTATIVES

Mileage for House Members of the 29th Legislative Assembly, showing the number of miles actually traveled and the amount due each member at the rate of 10 cents per mile.

District	NAME AND ADDRESS	Miles Traveled	Mileage Due
1.	Alex Dalzell, Walhalla .....	768	\$76.80
	John Halcrow, Bowesmont .....	702	70.20
	Earl D. Symington, Neche .....	740	74.00
2.	Emanuel Mortenson, Kenmare .....	516	51.60
	Palmer Levin, Park River .....	688	68.80
3.	M. T. Lillehaugen, Brocket .....	670	67.00
	Wilfred Collette, Grafton .....	632	63.20
4.	K. L. Boulden, Larimore .....	580	58.00
	Geo. H. Saumur, Grand Forks .....	564	56.40
5.	A. M. Allen, Thompson .....	520	52.00
	Edwin L. Bagge, Cummings .....	520	52.00
6.	H. W. McInnes, Kelso .....	488	48.80
	Harvey G. Wambheim, Hatton .....	530	53.00
	A. R. Bergesen, Fargo .....	390	39.00
7.	J. I. Brady, Fargo .....	390	39.00
	K. A. Fitch, Fargo .....	390	39.00
	Arthur C. Johnson, Fargo .....	390	39.00
	C. T. Yirchott, Fargo .....	390	39.00
8.	Manfred R. Ohnstad, West Fargo .....	400	40.00
	Kenneth K. Pyle, West Fargo .....	400	40.00



District	NAME AND ADDRESS	Miles Traveled	Mileage Due
11.	Wesley L. Bolmeier, Erie .....	456	45.60
	G. R. Dittmer, Durbin .....	368	36.80
12.	Vernon M. Johnson, Wahpeton .....	496	49.60
	A. W. Luick, Fairmount .....	550	55.00
13.	Mal Gainor, Milnor .....	560	56.00
	G. A. Klefstad, Forman .....	470	47.00
14.	Mark Stanley, Lisbon .....	550	55.00
	H. G. Severson, Kathryn .....	548	54.80
15.	Curtis Olson, Valley City .....	280	28.00
16.	Thomas V. Devlin, Hope .....	559	55.90
	Bjorn Fuglestad, Cooperstown .....	364	36.40
	Harry L. Thompson, Cooperstown .....	364	36.40
17.	Olaf Hildre, Dahlen .....	704	70.40
	Ole Lysne, Pekin .....	634	63.40
18.	L. E. Callahan, Munich .....	826	82.60
	W. M. Crockett, Wales .....	830	83.00
	Peter Moe, Osnabrock .....	732	73.20
19.	Henri Boucher, Rolette .....	730	73.00
	Simeon Grenier, Thorne .....	745	74.50
20.	C. H. Hofstrand, Leeds .....	434	43.40
	I. B. Rohrer, Churchs Ferry .....	434	43.40
21.	Louis Leet, Webster .....	504	50.40
	Frithjof Skaar, Hampden .....	566	56.60
	Harry Stormon, Devils Lake .....	500	50.00
22.	D. S. Blair, Maza .....	440	44.00
	E. J. Langley, Rock Lake .....	518	51.80
23.	C. F. Arndt, Streeter .....	301	30.10
	C. D. Drawz, Jamestown .....	204	20.40
	H. M. Ekren, Kensal .....	264	26.40
	P. G. Westby, Jamestown .....	204	20.40
24.	A. J. Sandness, LaMoure .....	340	34.00
	Zack Shockman, Berlin .....	320	32.00
25.	Cornelius Bymers, Ellendale .....	350	35.00
	F. J. Graham, Ellendale .....	350	35.00
26.	John J. Baumgartner, Strasburg .....	160	16.00
	Joseph Welk, Hague .....	190	19.00
27.	William B. Falcoer, Bismarck .....	12	1.20
	John R. Fleck, Bismarck .....	000	00.00
	Walter E. Sellens, Bismarck .....	20	2.00
28.	S. J. Acheson, Westhope .....	604	60.40
	Duncan Fraser, Omemee .....	560	56.00
	Arlan Stair, Newburg .....	534	53.40
29.	A. W. Benno, Minot .....	406	40.60
	Brynhild Haugland, Minot .....	390	39.00
	Dave Hovey, Minot .....	380	38.00
	W. M. Smart, Minot .....	380	38.00
30.	Andrew C. Mork, Mandan .....	30	3.00
	Matt M. Schmidt, Flasher .....	88	8.80
	Richard E. Wolf, New Salem .....	70	7.00
31.	A. H. Schmalenberger, Hebron .....	180	18.00
	Ray Schnell, Dickinson .....	222	22.20
	Leo Sticka, New England .....	252	25.20
32.	A. H. Nystrom, Sheyenne .....	368	36.80
	A. I. Sharpe, Glenfield .....	384	38.40

District	NAME AND ADDRESS	Miles Traveled	Mileage Due
33.	Morris Larson, Fessenden .....	534	53.40
	Calvin Schimke, Harvey .....	584	58.40
34.	L. W. Belzer, Balfour .....	292	29.20
	Andrew Halvorson, Upham .....	382	38.20
	Theodore Monson, Bergen .....	325	32.50
35.	George Engel, McClusky .....	287	28.70
	Gottlieb Frank, Kief .....	327	32.70
36.	Ed Haag, Fredonia .....	260	26.00
	Anton J. Schmidt, Napoleon .....	160	16.00
	Ben J. Wolf, Zeeland .....	210	21.00
37.	Ray Thompson, Walcott .....	510	51.00
	Chas. Wollitz, Lidgerwood .....	578	57.80
38.	Arthur A. Herk, Fingal .....	340	34.00
39.	M. B. Hogoboom, Alpha .....	420	42.00
	C. T. Olson, Bowman .....	372	37.20
	J. M. Still, Beach .....	384	38.40
40.	Harold Burau, Larson .....	594	59.40
	J. H. Heckman, Alkabo .....	664	66.40
	Frank Lindberg, Lostwood .....	535	53.50
41.	Bernt Anderson, Charlson .....	582	58.20
	Iver Drovdal, Arnegard .....	541	54.10
42.	George Allen, Pleasant Lake .....	472	47.20
	Wm. H. Tuff, Barton .....	512	51.20
43.	Olaf Ostgulen, Donnybrook .....	459	45.90
44.	Albert Moerke, Van Hook .....	356	35.60
	J. N. Mollet, Powers Lake .....	510	51.00
45.	Asle Bjella, Epping .....	565	56.50
	Lloyd Esterby, Appam .....	673	67.30
	S. A. Forseth, Williston .....	609	60.90
46.	Donnell Haugen, Roseglen .....	220	22.00
	J. W. Jennings, Washburn .....	99	9.90
	Geo. J. Schlafmann, Turtle Lake .....	135	13.50
47.	James J. Maher, Morristown, S. D. ....	236	23.60
	Fred Seibel, Elgin .....	180	18.00
48.	Walter Bubel, Center .....	96	9.60
	Gottlieb Isaak, Dodge .....	222	22.20
	Edwin G. Sailer, Stanton .....	130	13.00
49.	Elmer Hegge, New England .....	348	34.80
	George Schwartz, Mott .....	272	27.20

ALEX DALZELL  
H. M. EKREN  
LEO STICKA

Rep. Dalzell moved that the report be adopted.

ROLL CALL

The question being on the adoption of the report of the Committee on Mileage and Per Diem, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 23.

Those voting in the affirmative were:

Acheson	Fraser	Nystrom
Allen, Grand Forks	Fuglestad	Olson, Barnes
Allen, Pierce	Gainor	Ostgulen
Anderson	Graham	Rohrer
Arndt	Grenier	Sailer

Baumgartner	Haag	Schlafmann
Belzer	Halcrow	Schmalenberger
Benno	Haugen	Schmidt, Logan
Bjella	Haugland	Schmidt, Morton
Blair	Heckman	Schwartz
Bolmeier	Herk	Seibel
Boucher	Hildre	Severson
Brady	Hofstrand	Sharpe
Burau	Hogoboom	Skaar
Bymers	Isaak	Smart
Collette	Johnson, Richland	Stair
Crockett	Klefstad	Stanley
Dalzell	Langley	Sticka
Devlin	Leet	Still
Dittmer	Levin	Stormon
Drawz	Lillehaugen	Symington
Drovdal	Lysne	Thompson, Richl'nd
Ekren	McInnes	Tuff
Engel	Maher	Wambheim
Esterby	Moe	Welk
Falconer	Moerke	Westby
Fitch	Mollet	Wolf, McIntosh
Fleck	Monson	Wolf, Morton
Forseth	Mork	Wollitz
Frank	Mortenson	Mr. Speaker
Absent and not voting:		
Bagge	Johnson, Cass	Saumur
Boulden	Larson	Schimke
Bubel	Lindberg	Schnell
Callahan	Luick	Sellens
Halvorson	Ohnstad	Shockman
Hegge	Olson, Bowman	Thompson, Griggs
Hovey	Pyle	Yirchott
Jennings	Sandness	

So the report was adopted.

Speaker Bergesen: We were favored with the pleasure and opportunity of hearing from our immediate ex-Speaker Ralph Beede and a few days later from the Speaker of this House who served in the 1941 Session, Earl Symington.

We have another former Speaker of the House who has been serving quite regularly, in fact, I believe he has served in every Session of the House since he first came here in 1931 with the exception of one Session and that time he was not a candidate because he was a candidate for Lieutenant Governor. I refer to ex-Speaker William Crockett.

Rep. Moe moved that the Speaker appoint a committee of three to escort ex-Speaker Crockett to the rostrum, which motion prevailed.

The Speaker appointed Reps. Moe and Haag and because he was a freshman along with Rep. Crockett in 1931 and has served the same number of sessions with him, as third member of the committee appointed Rep. Fitch.

The committee escorted Rep. Crockett to the rostrum and he addressed the assembly as follows:

I want to thank you, Mr. Bergesen, for this opportunity. This brings memories back to me.

I happen to be fortunate in having been the first Speaker in this new capitol. I never will forget that occasion when I first came up to the desk that morning to occupy this chair—

the first time it was occupied by anyone. I was certainly needing more confidence in myself than I was showing at that time. I was just wondering to myself if I would be big enough to handle the job.

At that time, you know, they were kind of hectic days, but the boys were awfully good to me and we got along fine.

This is rather a sad occasion for me because it makes me think I am getting old. As I look over the faces that were here when I first came here, there is only one who is here yet and that is Kenny Fitch from Fargo. The "old veteran" is gone, that makes Kenny Fitch and Billy Crockett the old men of the House. I don't like to think I am getting old, but time catches up with all of us.

We have had a lot of disagreements and we will have more, but I want to say this—it has been the best experience of my life. I have met a lot of people I would never have met. We get into debates on the floor of the House that to the outsider may seem we are going to fight with one another and sometimes we say things that shouldn't be said, but I have found this—that after the debate is over we forget those things. For myself—I never hold a grudge. I don't know of any of the boys who I have sat here with who have held a grudge against me through all these sessions.

It is a wonderful opportunity in any man's lifetime to have the privilege to be a member of this House. It is sometimes nicer, of course, to be on the winning side, but you can't always win. As our Speaker said the other day when he announced the committees, the minority had much responsibility. I have been in the majority when they had the responsibility so I know the boys in the majority do all the work, but we will be watching you and trying to help you at times and throw a little motion in once in a while to keep you up on your toes. That's what we are supposed to do.

I want to say to some of the new members especially, don't get your blood too hot when we get into those debates. I have had one or two say to me in years gone by, "Why do you gentlemen fight so hard?" "Why," I said, "We have to have that in a democracy. We have to have a two-party system. We have to tell our differences of opinion, and if we don't have the two-party system we won't have a democracy, we will have a dictatorship."

Mr. Speaker, I thank you again for this privilege and I hope that if my long years of experience can be of any benefit to anyone in this assembly I want you to feel free to ask me and I will give you the best advice I know and it will be honest advice. I thank you.

Rep. Moe moved that the remarks of ex-Speaker Crockett be printed in the Journal, which motion prevailed.

Mr. Speaker: The committee appointed during the 1943 Legislative Assembly to have assembled the large photograph of the House membership for that year, wish to report that although diligent effort has been exerted, not until the present time have we been able to secure a photographer who would do the work and the following is a statement of the amount required.

71 Prints from Bismarck Studio .....	\$ 53.25
32 Copies @ \$2.00 .....	64.00
Printing on Composition .....	10.00

Frame and backboard .....	15.00
Labor and help .....	100.00
112 11x14 copies @ \$1.50 .....	168.00
<b>TOTAL .....</b>	<b>\$410.25</b>

Rep. Fleck moved that the committee be authorized to secure the completion of this work and that the expense above enumerated be authorized.

#### ROLL CALL

The question being on the adoption of the report of the 1943 committee on photographs, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

Acheson	Fraser	Olson, Barnes
Allen, Grand Forks	Fuglestad	Ostgulen
Allen, Pierce	Gainor	Rohrer
Anderson	Grenier	Sailer
Arndt	Haag	Schlafmann
Baumgartner	Halcrow	Schmalenberger
Belzer	Haugen	Schmidt, Logan
Benno	Haugland	Schmidt, Morton
Bjella	Heckman	Schwartz
Blair	Herk	Seibel
Bolmeier	Hildre	Sellens
Boucher	Hofstrand	Severson
Brady	Hogoboom	Sharpe
Bubel	Hovey	Skaar
Bureau	Isaak	Smart
Bymers	Johnson, Richland	Stair
Collette	Klefstad	Stanley
Crockett	Langley	Sticka
Dalzell	Leet	Still
Devlin	Levin	Stormon
Dittmer	Lillehaugen	Symington
Drawz	Lysne	Thompson, Richl'nd
Drovdal	McInnes	Tuff
Ekren	Maher	Wambheim
Engel	Moe	Welk
Esterby	Moerke	Westby
Falconer	Mollet	Wolf, McIntosh
Fitch	Monson	Wolf, Morton
Fleck	Mork	Wollitz
Forseth	Mortenson	Mr. Speaker
Frank	Nystrom	

Absent and not voting:

Bagge	Johnson, Cass	Sandness
Boulden	Larson	Saumur
Callahan	Lindberg	Schimke
Graham	Luick	Schnell
Halvorson	Ohnstad	Shockman
Hegge	Olson, Bowman	Thompson, Griggs
Jennings	Pyle	Yirchott

So the report was adopted and the expense authorized.

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

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

KENNETH L. MORGAN, Chief Clerk.

## TENTH DAY

Bismarck, January 11, 1945

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

Prayer was offered by Rev. Paul G. Hayes.

Roll call: All members present except Reps. Olson of Bowman, Boulden, Callahan, Graham, Halvorson, Hegge, Jennings, Johnson of Cass, Larson, Lindberg, Luick, Ohnstad, Pyle, Sandness, Saumur, Schimke, Schnell, Shockman, Thompson of Griggs, and Yirchott.

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

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

REP. FUGLESTAD, Chairman.

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

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Rules have had the matter of Rules under consideration and recommend that the 1941 Rules be amended as follows:

Rule 23: Strike out the word "six" and insert the word "seven" in Line 3 of the 1941 Rules. Strike out the word "two" and insert the word "three" in line 14 of the 1941 Rules.

Rule 40: Increase the membership of the Committee on Drainage and Irrigation to 17.

Change the name of the Committee on Military Affairs to "Committee on Veteran's and Military Affairs", and increase the membership to 15.

Insert Rule 63 to read as follows: "SELECTION OF SEATS—Former Speakers of the House and the Majority and Minority floor leaders are to have first choice of seats. Members of the House who have served for three or more terms shall pick their seats in order of seniority. Other members shall choose their seats by lot. The selection by former Speakers, Floor Leaders and Senior Members shall include their entire delegations."

And when so amended recommend that the 1941 Rules be adopted as the permanent rules of this House.

REP. SYMINGTON, Chairman.

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

## FIRST READING OF HOUSE BILLS

Rep. Bjella introduced:

House Bill No. 35. A Bill for an Act Suspending Sales of All Agricultural Lands Owned by the State of North Dakota, Its Agencies, and Political Subdivisions, Subject to Specified Exceptions, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

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

KENNETH L. MORGAN, Chief Clerk.

TENTH DAY AFTER RECESS  
AND ELEVENTH DAY

Bismarck, January 12, 1945

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

Mr. Speaker: Your Committee on Employment places in nomination the name of Florence Boutrous of Bismarck as stenographer.

REP. BLAIR, Chairman.

Rep. Blair moved that the report be adopted.

ROLL CALL

The question being on the report of the Employment Committee, the roll was called and there were ayes, 83; nays, 0; absent and not voting, 30.

Those voting in the affirmative were:

Acheson	Haugen	Sailer
Allen, Pierce	Haugland	Sandness
Arndt	Heckman	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schwartz
Blair	Hovey	Seibel
Bolmeier	Isaak	Sellens
Brady	Johnson, Richland	Severson
Bubel	Klefstad	Sharpe
Burau	Langley	Skaar
Bymers	Leet	Smart
Crockett	Levin	Stair
Dalzell	Lillehaugen	Stanley
Devlin	Lindberg	Sticka
Dittmer	Luick	Still
Drawz	Lysne	Stormon
Drovdal	McInnes	Symington
Engel	Moe	Thompson, Richl'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Fitch	Monson	Welk
Frank	Mortenson	Westby
Fraser	Nystrom	Wolf, McIntosh
Gainor	Olson, Barnes	Wolf, Morton
Haag	Ostgulen	Mr. Speaker
Halcrow	Rohrer	

Absent and not voting:

Allen, Grand Forks	Fuglestad	Ohnstad
Anderson	Graham	Olson, Bowman

Bagge	Grenier	Pyle
Boucher	Halvorson	Saumur
Boulden	Hegge	Schimke
Callahan	Jennings	Schnell
Collette	Johnson, Cass	Shockman
Ekren	Larson	Thompson, Griggs
Fleck	Maher	Wollitz
Forseth	Mork	Yirchott

So Florence Boutrous was duly elected.

The oath of office was administered to Florence Boutrous by the Speaker.

Rep. Haugen moved that the charge of \$9.50 for installation of suitable microphones at the desks of the Speaker and Chief Clerk be allowed and charged to legislative expense and that the services of Robert Kyllingstad and Harold Lason, operators of the loudspeaker system be allowed from the beginning and through the remainder of this session at the rate of \$1.40 per hour and that the same be charged to legislative expense.

#### ROLL CALL

The question being on the motion of Rep. Haugen, the roll was called and there were ayes, 83; nays, 0; absent and not voting, 30.

Those voting in the affirmative were:

Acheson	Haugen	Rohrer
Allen, Pierce	Haugland	Sailer
Arndt	Heckman	Sandness
Baumgartner	Herk	Schlafmann
Belzer	Hildre	Schmalenberger
Benno	Hofstrand	Schmidt, Logan
Bjella	Hogoboom	Schmidt, Morton
Blair	Hovey	Schwartz
Bolmeier	Isaak	Seibel
Brady	Johnson, Richland	Sellens
Bubel	Klefstad	Severson
Burau	Langley	Sharpe
Bymers	Leet	Skaar
Crockett	Levin	Smart
Dalzell	Lillehaugen	Stair
Devlin	Lindberg	Stanley
Dittmer	Luick	Sticka
Drawz	Lysne	Still
Drovdal	McInnes	Stormon
Engel	Moe	Symington
Esterby	Moerke	Thompson, Richl'nd
Falconer	Mollet	Tuff
Frank	Monson	Wambheim
Fraser	Mork	Welk
Gainor	Mortenson	Wolf, McIntosh
Grenier	Nystrom	Wolf, Morton
Haag	Olson, Barnes	Mr. Speaker
Halcrow	Ostgulen	

Absent and not voting:

Allen, Grand Forks	Forseth	Olson, Bowman
Anderson	Fuglestad	Pyle
Bagge	Graham	Saumur
Boucher	Halvorson	Schimke
Boulden	Hegge	Schnell



Callahan	Jennings	Shockman
Collette	Johnson, Cass	Thompson, Griggs
Ekren	Larson	Westby
Fitch	Maher	Wollitz
Fleck	Ohnstad	Yirchott

So the motion prevailed and the expenditures authorized.

Rep. McInnes moved that a committee of three be appointed to contact Wilfred Baska of the State Department of Health with reference to printing our names on the 1943 Code, which motion prevailed.

The Speaker appointed Reps. McInnes, Crockett and Belzer.

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

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

KENNETH L. MORGAN, Chief Clerk.

#### ELEVENTH DAY

Bismarck, January 12, 1945

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

Prayer was offered by Rev. Paul G. Hayes.

Roll call: All members present except Reps. Olson of Bowman, Allen of Grand Forks, Anderson, Bagge, Boucher, Boulden, Callahan, Collette, Ekren, Fitch, Fleck, Forseth, Fuglestad, Graham, Grenier, Halvorson, Hegge, Jennings, Johnson of Cass, Larson, Maher, Ohnstad, Pyle, Saumur, Schnell, Shockman, Thompson of Griggs, Wollitz and Yirchott.

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

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

On page 75, correct the mileage due for C. F. Arndt, District No. 23, Streeter, North Dakota from \$40.10 to \$30.10.

And when so corrected recommends that the same be approved.

REP. HALCROW, Acting Chairman.

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

Speaker Bergesen announced the following change in committee assignments: Rep. Hildre has changed from Cities and Municipal Corporations to Judiciary and Rep. Yirchott from Judiciary to Cities and Municipal Corporations.

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

Rep. Crockett moved that the House adjourn until 2:00 o'clock p. m., tomorrow, which motion prevailed and the House stood adjourned.

KENNETH L. MORGAN, Chief Clerk.

## TWELFTH DAY

Bismarck, January 13, 1945

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

Prayer was offered by Rev. Paul G. Hayes.

Roll call: All members present except Reps. Olson of Bowman, Anderson, Bagge, Baumgartner, Boucher, Boulden, Bubel, Callahan, Collette, Drawz, Ekren, Fitch, Forseth, Fuglestad, Graham, Grenier, Halvorson, Haugland, Hegge, Hovey, Jennings, Larson, Monson, Ohnstad, Olson of Barnes, Pyle, Saumur, Schimke, Schmalenberger, Schmidt of Logan, Symington, Thompson of Griggs, Westby, Yirchott and Speaker Bergesen.

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

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

REP. HALCROW, Acting Chairman.

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

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 33, 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 House Bill No. 34, have had the same under consideration and recommend that the same be amended as follows:

Line 8, insert the word "be" before the words "an emergency."

And when so amended recommend the same do pass.

REP. JOHNSON OF CASS, Chairman.

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

Rep. Johnson of Richland moved that the rules be suspended and that House Bill No. 34 as amended by the Committee on Appropriations be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Employment places in nomination the name of Ethelyn Jorve of LaMoure as chief stenographer.

REP. BLAIR, Chairman.

Rep. Blair moved that the report 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, 67; nays, 0; absent and not voting, 46.

Those voting in the affirmative were:

Acheson	Halcrow	Ostgulen
Allen, Grand Forks	Heckman	Rohrer
Allen, Pierce	Herk	Sailer
Arndt	Hildre	Sandness
Belzer	Hofstrand	Schlafmann
Benno	Hogoboom	Schnell
Bjella	Isaak	Schwartz
Blair	Johnson, Cass	Seibel
Bolmeier	Johnson, Richland	Sellens
Brady	Klefstad	Sharpe
Burau	Langley	Shockman
Crockett	Leet	Skaar
Dalzell	Levin	Stair
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drovdal	Luick	Still
Engel	Maher	Stormon
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fleck	Mollet	Welk
Frank	Mork	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Gainor		

Absent and not voting:

Anderson	Haag	Pyle
Bagge	Halvorson	Saumur
Baumgartner	Haugen	Schimke
Boucher	Haugland	Schmalenberger
Boulden	Hegge	Schmidt, Logan
Bubel	Hovey	Schmidt, Morton
Bymers	Jennings	Severson
Callahan	Larson	Smart
Collette	Lysne	Symington
Drawz	McInnes	Thompson, Griggs
Ekren	Monson	Thompson, Richl'nd
Fitch	Mortenson	Westby
Forseth	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Yirchott
Graham	Olson, Bowman	Mr. Speaker
Grenier		

So Ethelyn Jorve was duly elected chief stenographer.

Rep. Bolmeier moved that the House do now recess until 1:30 o'clock p. m., Monday, which motion prevailed and the House stood recessed.

KENNETH L. MORGAN, Chief Clerk.

TWELFTH DAY AFTER RECESS  
AND FOURTEENTH DAY

Bismarck, January 15, 1945

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

MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 15, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 40. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, and Repealing All Law Not Specifically Excepted.

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

W. J. TROUT, Secretary.

FIRST READING OF SENATE BILLS

Senate Bill No. 40. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, and Repealing All Law Not Specifically Excepted.

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

It being agreeable with the House, the Committee on Judiciary was excused to take under consideration Senate Bill No. 40.

REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Committee on Employment places in nomination the names of H. R. Bonny as messenger to the Governor, Mrs. Myrtle Thorberg as enrolling and engrossing clerk, and Mrs. Edna Sand as committee clerk and stenographer.

REP. BLAIR, Chairman.

Rep. Blair moved that the report be adopted.

ROLL CALL

The question being on the report of the Committee on Employment, the roll was called and there were ayes, 75; nays, 22; absent and not voting, 16.

Those voting in the affirmative were:

Acheson	Fuglestad	Pyle
Allen, Grand Forks	Gainor	Sailer

Allen, Pierce	Graham	Sandness
Anderson	Halcrow	Saumur
Arndt	Haugen	Schimke
Bagge	Haugland	Schlafmann
Benno	Heckman	Schmalenberger
Blair	Hegge	Schnell
Bolmeier	Herk	Seibel
Boucher	Hogoboom	Sellens
Brady	Hovey	Severson
Bubel	Isaak	Sharpe
Burau	Jennings	Skaar
Bymers	Johnson, Cass	Smart
Callahan	Johnson, Richland	Stanley
Crockett	Klefstad	Sticka
Devlin	Langley	Still
Dittmer	Larson	Stormon
Drawz	Leet	Symington
Drovdal	Luick	Thompson, Griggs
Esterby	Lysne	Wambheim
Falconer	Moe	Westby
Fitch	Nystrom	Wolf, McIntosh
Fleck	Ohnstad	Wollitz
Fraser	Olson, Barnes	Mr. Speaker
Those voting in the	negative were:	
Dalzell	Moerke	Schmidt, Logan
Engel	Mollet	Schmidt, Morton
Frank	Monson	Schwartz
Haag	Mork	Thompson, Rich'nd
Halvorson	Mortenson	Tuff
Levin	Ostgulen	Welk
Lillehaugen	Rohrer	Wolf, Morton
Lindberg		
Absent and not voting:		
Baumgartner	Forseth	Maher
Belzer	Grenier	Olson, Bowman
Bjella	Hildre	Shockman
Boulden	Hofstrand	Stair
Collette	McInnes	Yirchott
Ekren		

So the employees were duly elected.

The oath of office was administered by the Speaker to Mrs. Doris Bronaugh, Miss Ethelyn Jorve, H. R. Bonny, Mrs. Myrtle Thorberg, and Mrs. Edna Sand.

Rep. Saumur reported that Rep. Boulden, who has been ill in a local hospital for a few days, underwent an operation this morning.

Rep. Saumur moved that the Speaker, on behalf of the House, send Rep. Boulden a message of condolence and good wishes, which motion prevailed.

Rep. Hildre reported that Peter Holm, former Representative from his district, who was a member of the House until and including the 1943 session is now ill.

Rep. Hildre moved that the Speaker, on behalf of the House, send Mr. Holm a message of condolence and good wishes.

Rep. Fitch requested that he be recorded as seconding the motion of Rep. Hildre because of his long association in the House with former Rep. Holm, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

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

REP. JOHNSON of Richland, Chairman.

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

**FIRST READING OF HOUSE BILLS**

The Committee on Appropriations introduced:

House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State Officials of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

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

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

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

KENNETH L. MORGAN, Chief Clerk.

**FOURTEENTH DAY**

Bismarck, January 15, 1945

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

Prayer was offered by Rev. A. E. Smith.

Roll call: All members present except Reps. Olson of Bowman, Boulden, Collette, Forseth, Hofstrand and Yirchott.

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

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

On page 85 on third line from the bottom of the page, change House Bill No. 33 to read House Bill No. 34.

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

**SECOND READING OF HOUSE BILLS**

House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Halcrow	Pyle
Allen, Grand Forks	Halvorson	Rohrer
Allen, Pierce	Haugen	Sailer
Anderson	Haugland	Sandness
Arndt	Heckman	Saumur
Bagge	Hegge	Schimke
Baumgartner	Herk	Schlafmann
Belzer	Hildre	Schmalenberger
Benno	Hogoboom	Schmidt, Logan
Bjella	Hovey	Schmidt, Morton
Blair	Isaak	Schnell
Bolmeier	Jennings	Schwartz
Boucher	Johnson, Cass	Seibel
Brady	Johnson, Richland	Sellens
Bubel	Klefstad	Severson
Bureau	Langley	Sharpe
Bymers	Larson	Shockman
Callahan	Leet	Skaar
Crockett	Levin	Smart
Dalzell	Lillehaugen	Stair
Devlin	Lindberg	Stanley
Dittmer	Luick	Sticka
Drawz	Lysne	Still
Drovdal	McInnes	Stormon
Engel	Maher	Symington
Esterby	Moe	Thompson, Griggs
Falconer	Moerke	Thompson, Rich'nd
Fitch	Mollet	Tuff
Fleck	Monson	Wambheim
Frank	Mork	Welk
Fraser	Mortenson	Westby
Fuglestad	Nystrom	Wolf, McIntosh
Gainor	Ohnstad	Wolf, Morton
Graham	Olson, Barnes	Wollitz
Grenier	Ostgulen	Mr. Speaker
Haag		

Absent and not voting:

Boulden	Forseth	Olson, Bowman
Collette	Hofstrand	Yirchott
Ekren		

So the bill passed and the title was agreed to.

Rep. Johnson of Richland moved that the rules be suspended and the amendment to House Bill No. 34 be adopted, which motion prevailed and the amendment adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 34.

And find the same correctly Engrossed.

REP. LEET, Chairman.

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

SECOND READING OF HOUSE BILLS

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library 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, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Halvorson	Sailer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schimke
Baumgartner	Hegge	Schlafmann
Belzer	Herk	Schmalenberger
Benno	Hildre	Schmidt, Logan
Bjella	Hogoboom	Schmidt, Morton
Blair	Isaak	Schnell
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Cass	Seibel
Brady	Johnson, Richland	Sellens
Bubel	Klefstad	Severson
Bureau	Langley	Sharpe
Bymers	Larson	Shockman
Callahan	Leet	Skaar
Crockett	Levin	Smart
Dalzell	Lillehaugen	Stair
Devlin	Lindberg	Stanley
Dittmer	Luick	Sticka
Drawz	Lysne	Still
Drovdal	McInnes	Stormon
Engel	Maher	Symington
Esterby	Moe	Thompson, Griggs
Falconer	Moerke	Thompson, Richl'nd
Fitch	Mollet	Tuff
Fleck	Monson	Wambheim
Frank	Mork	Welk
Fraser	Mortenson	Westby
Fuglestad	Nystrom	Wolf, McIntosh
Gainor	Ohnstad	Wolf, Morton
Graham	Olson, Barnes	Wollitz
Gænier	Ostgulen	Mr. Speaker
Absent and not voting:		
Boucher	Forseth	Olson, Bowman
Collette	Hofstrand	Yirchott
Ekren	Hovey	

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

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 15, 1945

Mr. President: I have the honor to transmit:

House Bill No. 33. A Bill for an Act Making an Appro-



priation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

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

KENNETH L. MORGAN, Chief Clerk.

The Speaker announced the following committee transfers:

Rep. Drovdal has transferred from the Committee on State Affairs to the Committee on Tax and Tax Laws.

Rep. Ohnstad has transferred from the Committee on Tax and Tax Laws to the Committee on State Affairs.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, January 15, 1945

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 1. A Concurrent Resolution Providing Special Rules Fixing the Procedure to Govern in the Adoption of the North Dakota Revised Code of 1943.

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

W. J. TROUT, Secretary.

The Speaker announced that the House was on the fourteenth order of business.

KENNETH L. MORGAN, Chief Clerk.

CONTINUATION OF THE FOURTEENTH DAY  
AND FIFTEENTH DAY

Bismarck, January 16, 1945

CONSIDERATION OF MESSAGES FROM THE SENATE

FIRST READING OF SENATE RESOLUTION

Senate Concurrent Resolution No. 1. A Concurrent Resolution Providing Special Rules Fixing the Procedure to Govern in the Adoption of the North Dakota Revised Code of 1943.

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

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 1, have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title strike out the word "governor" and insert in lieu thereof the word "govern".

And when so amended recommend the same do pass.

REP. JOHNSON of Richland, Chairman.

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

Rep. Johnson of Richland moved that the rules be suspended and that the amendment to Senate Concurrent Resolution No. 1 be adopted, which motion prevailed and the amendment was adopted.

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

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

KENNETH L. MORGAN, Chief Clerk.

FIFTEENTH DAY

Bismarck, January 16, 1945

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

Prayer was offered by Rev. A. E. Smith.

Roll call: All members present except Reps. Olson of Bowman, Boulden, Haugland, Hofstrand and Stanley.

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

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

Twelfth Day After Recess and the Fourteenth Day and recommends that the same be corrected as follows:

On page 92 change Senate Bill No. 1 to read Senate Concurrent Resolution No. 1 and change the title to correspond.

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

#### FIRST READING OF HOUSE BILLS

Reps. Hovey, Saumur and Brady introduced:

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

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

#### SECOND READING OF SENATE BILLS

Senate Bill No. 40. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 109; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sailer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur
Baumgartner	Heckman	Schimke
Belzer	Hegge	Schlafmann
Benno	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Logan
Blair	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Schnell
Boucher	Isaak	Schwartz
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Sellens
Bureau	Johnson, Richland	Severson
Bymers	Klefstad	Sharpe
Callahan	Langley	Shockman
Collette	Larson	Skaar
Crockett	Leet	Smart
Dalzell	Levin	Stair
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	McInnes	Thompson, Griggs

Engel	Maher	Thompson, Richl'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morten
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Graham		

Absent and not voting:

Boulden	Olson, Bowman	Stanley
Hofstrand		

So the bill passed and the title was agreed to.

The Speaker called the attention of the House to the fact that Senate Bill No. 40 carries an emergency clause but that same is not indicated in the title thereof.

Rep. Fitch moved that the House reconsider action taken on Senate Bill No. 40, which motion prevailed.

Rep. Fitch asked the unanimous consent of the House to amend the title to Senate Bill No. 40 to include the words "and declaring an emergency." The unanimous consent was granted.

Rep. Fitch moved that the rules be suspended and that Senate Bill No. 40 be amended by including the words "and declaring an emergency" in the title thereof, which motion prevailed.

Rep. Bubel moved that the rules be suspended and that Senate Bill No. 40, as amended, be placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 40. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 108; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Graham	Ostgulen
Allen, Grand Forks	Grenier	Pyle
Allen, Pierce	Haag	Rohrer
Anderson	Halerow	Sailer
Arndt	Halvorson	Sandness
Bagge	Haugen	Saumur
Baumgartner	Haugland	Schimke
Belzer	Heckman	Schlafmann
Benno	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Logan
Blair	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Schnell
Boucher	Isaak	Schwartz

Brady	Jennings	Seibel
Bubel	Johnson, Cass	Sellens
Burau	Johnson, Richland	Severson
Bymers	Klefstad	Sharpe
Callahan	Langley	Shockman
Collette	Larson	Skaar
Crockett	Leet	Smart.
Dalzell	Levin	Stair
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Rich'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Absent and not voting:		
Boulden	Hofstrand	Stanley
Hegge	Olson, Bowman	

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

Rep. Allen of Grand Forks moved that the vote by which Senate Bill No. 40 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 1. A Concurrent Resolution Providing Special Rules Fixing the Procedure to Govern in the Adoption of the North Dakota Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the Resolution, as amended, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Graham	Ostgulen
Allen, Grand Forks	Grenier	Pyle
Allen, Pierce	Haag	Rohrer
Anderson	Halcrow	Sailer
Arndt	Halvorson	Sandness
Bagge	Haugen	Saumur
Baumgartner	Haugland	Schimke
Belzer	Heckman	Schlafmann
Benno	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Logan
Blair	Hogboom	Schmidt, Morton
Bolmeier	Hovey	Schnell
Boucher	Isaak	Schwartz
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Sellens

Burau	Johnson, Richland	Severson
Bymers	Klefstad	Sharpe
Callahan	Langley	Shockman
Collette	Larson	Skaar
Crockett	Leet	Stair
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Ekren	McInnes	Thompson, Richl'nd
Engel	Maher	Tuff
Esterby	Moe	Wambheim
Falconer	Moerke	Welk
Fitch	Mollet	Westby
Fleck	Monson	Wolf, McIntosh
Forseth	Mork	Wolf, Mortpn
Frank	Mortenson	Wollitz
Fraser	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor	Olson, Barnes	
Absent and not voting:		
Boulden	Hofstrand	Smart
Hegge	Olson, Bowman	Stanley

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

Rep. Allen of Grand Forks moved that the vote by which Senate Concurrent Resolution No. 1 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Graham: At this time I wish to make a statement preliminary to making a motion and I wish my remarks recorded.

At the 1944 Special Session of the Legislature there was a Concurrent Resolution passed by the Senate and by the House designated as Senate Concurrent Resolution B providing for the appointment of three Senators and four Representatives to make an investigation.

The members of the committee selected at that time were Senators Page, Bridston and Thatcher and in the House Reps. Johnson of Cass, Bagge, Callahan and Bymers. Thereafter and under the terms of that Resolution their authority was to continue until the close of the 1945 session.

As I view it their authority would be at an end at the beginning of this session and that they also had an investigation and I understand that the report was submitted by an auditing company at an expense of \$16,000.00. Up to the present time that report has not been filed and I now move that this so-called committee from the House be required to file the report not later than two o'clock tomorrow afternoon and at that time the committee be discharged on the ground that they no longer have authority to continue the investigation.

The Speaker ruled the motion out of order stating by the motion it was an attempt to amend a law passed by the legislature.

Rep. Graham appealed from the decision of the chair.

The question before the House is shall the decision of the

Speaker be sustained. On a viva voce vote the chair was in doubt. A roll call was demanded and granted.

#### ROLL CALL

The question being on the motion of Rep. Graham, the roll was called and there were ayes, 56; nays, 52; absent and not voting, 4; passed, 1.

Those voting in the affirmative were:

Allen, Grand Forks	Fuglestad	Olson, Barnes
Allen, Pierce	Gainor	Pyle
Arndt	Halcrow	Sailer
Bagge	Haugland	Sandness
Benno	Heckman	Saumur
Bjella	Herk	Sellens
Blair	Hildre	Severson
Bolmeier	Hogoboom	Sharpe
Brady	Hovey	Skaar
Bymers	Johnson, Cass	Smart
Callahan	Johnson, Richland	Still
Collette	Klefstad	Stormon
Dalzell	Langley	Symington
Drawz	Leet	Thompson, Griggs
Ekren	Luick	Wambheim
Esterby	Lysne	Westby
Fitch	McInnes	Wollitz
Fleck	Moe	Yirchott
Forseth	Nystrom	

Those voting in the negative were:

Acheson	Halvorson	Rohrer
Anderson	Haugen	Schimke
Baumgartner	Hegge	Schlafmann
Belzer	Isaak	Schmalenberger
Boucher	Jennings	Schmidt, Logan
Bubel	Larson	Schmidt, Morton
Burau	Levin	Schnell
Crockett	Lillehaugen	Schwartz
Devlin	Lindberg	Seibel
Dittmer	Maher	Shockman
Drovdal	Moerke	Stair
Engel	Mollet	Sticka
Falconer	Monson	Thompson, Rich'nd
Frank	Mork	Tuff
Fraser	Mortenson	Welk
Graham	Ohnstad	Wolf, McIntosh
Grenier	Ostgulen	Wolf, Morton
Haag		

Absent and not voting:

Boulden	Olson, Bowman	Stanley
Hofstrand		

Passed:

Mr. Speaker

So the motion was declared lost and the ruling of the Speaker was sustained.

Rep. Graham requested a verification, which request was granted and disclosed 56 ayes, 52 nays, 4 absent and not voting and 1 passing.

Rep. Falconer: At this time I desire to introduce an employee of the House to the members of the House — the youngest man the State has ever employed. This man will

be 90 years old his next birthday and has had the honor of shaking hands with one of this country's greatest presidents—President Lincoln.

Rep. Falconer moved that a committee of three be appointed to escort H. R. Bonny to the rostrum. The Speaker appointed Reps. Falconer, Fleck and Sellens.

Mr. H. R. Bonny, Messenger to the Governor, was escorted to the rostrum, presented to the Speaker and the House by Rep. Falconer and welcomed by the Speaker.

Rep. Graham moved that a committee of three be appointed to notify the Senate that the House is ready to receive them in Joint Session, which motion prevailed.

The Speaker appointed Reps. Graham, Johnson of Richland and Schimke.

Rep. Fitch moved that the House recess for the purpose of going into Joint Session with the Senate, which motion prevailed.

#### JOINT SESSION

The joint session of the House and Senate was called to order by the President of the Senate.

Rep. Sandness moved that a committee of two be appointed to escort the Honorable Fred G. Aandahl, Governor of the State of North Dakota to the rostrum, which motion prevailed.

Rep. Sandness and Senator Reinke were appointed on such committee.

Senator Shure moved that a committee of two be appointed to escort the Honorable A. G. Arvold, Imperial Potentate of the Mystic Shrine for North America, to the rostrum, which motion prevailed.

Senator Shure and Rep. Graham were appointed on such committee.

Governor Aandahl was presented to the rostrum.

Prof. A. G. Arvold was presented to the rostrum.

Speaker Bergesen: Ladies and gentlemen of this joint assembly and the radio audience, I present to you the Lieutenant Governor of the State of North Dakota, the Honorable C. P. Dahl.

Lt. Gov. Dahl: Thank you, Mr. Speaker and honored members of this Joint Assembly, ladies and gentlemen—we are assembled today in honor of one who has reached the highest pinnacle of Masonic Shrinedom and it becomes my privilege and honor to introduce to you the Honorable Governor of North Dakota, Fred G. Aandahl, who will introduce the speaker of the day. Governor Aandahl.

Governor Aandahl: Mr. President, members of the Legislature and friends. This is one of those very pleasant occasions when the members of the two houses of the legislature have met in joint assembly for the purpose of recognizing and honoring a distinguished citizen of North Dakota. Mr. Arvold, our guest this afternoon, came to the North Dakota Agricultural College at Fargo in 1907 and became an instructor there. His department was designated as the Department of Public Discussion and Social Service. The work of that department soon led to the establishment of The Little Country Theatre in 1914. For nearly thirty-one years now that institution has been radiating its influence



and the influence given to it by its director, Mr. Arvold, to the students of the college and to all of the people of North Dakota in the various communities to which it has been able to reach. It is well known that from time to time Mr. Arvold has been tempted by attractive salaries to leave the State of North Dakota and to go to other institutions but he has always decided to remain in North Dakota where the work that is closest to his heart and his soul has been established.

Mr. Arvold is close to the common people of North Dakota. He is in constant contact with them and can give broad expression to their deepest feeling and understanding.

This past year Mr. Arvold was named Imperial Potentate of the Shrine. This is an organization that has fifteen large hospitals in this country whose duty it is to give care to crippled children without charge. It is a matter of record that these hospitals have treated and cared for 100,000 crippled children. It is indeed a tribute both to Mr. Arvold and to the State of North Dakota that this organization of 400,000 has seen fit to choose him as their leader in this critical period. It is indeed a pleasure to be permitted to present Mr. Alfred Arvold to this joint assembly and to the people of North Dakota. Mr. Arvold.

Mr. Arvold: His Excellency the Governor, the Lieutenant Governor, the Speaker of the House and members of the State Legislature, friends and folks:

We have fifty-three counties in the State of North Dakota. Its land area comprises seventy-one thousand square miles of rich, black soil. Seventy percent of our people live in unincorporated territory. Seven out of every eight persons are classed as rural. Everybody, everywhere, every day talks agriculture. It is a state with tremendous possibilities. There are over forty million acres of tillable land. The state has one of the largest lignite coal deposits in the world. The one standing before you today recalls the story of one of his plays where a farmer thought that a hill on his farm contained gold. The neighbors would gather occasionally to help him dig for the precious metal. At one of the gatherings an eighteen year old country lad came out of the hole in the hillside with his hands full of black soil. He looked at the neighbors and said, "Here is something everlasting and eternal, the Holy Earth. It is more valuable to humanity than gold or silver. Throughout the ages it has brought forth the fruits, the grains, the vegetables and the trees that the human race might live—the grass that the animals might subsist and the flowers to beautify the landscape." I am thoroughly convinced that the resources of our state have not been fully developed. Through science men have done much with them, but with the vision of the people we can do greater work in the future. We can feed civilization if necessary. With the land adjacent to the Red River, the Sheyenne River, the Mouse River, the Missouri River and the other rivers we have tremendous possibilities for future development. We have an invigorating climate, one which makes people believe in doing things. A vigorous climate always develops an energetic and vigorous people.

I had a friend—a doctor who was a philosopher. He once took a glass of water and looked at me and said, "Arvold, this glass of water has enough energy in it to propel a ship."

Today, I say to you people that there is enough energy in our soil to build one of the greatest states in the union.

When I first came here thirty-seven years ago, I was tall and slender and weighed one hundred thirty-seven pounds. My auburn hair then was the color of Vermont maple sugar. As you look at me now you can see what North Dakota has done for me and with me. (Laughter.)

When a physician visits a sick room he always diagnoses the case of the patient before he suggests a remedy. Many years ago I studied the various types of people who made up this commonwealth. The most interesting parts of any state are the people in it. I found that in these fifty-three counties we have representatives from twenty-two different nations coming from the best blood of Europe. There are people of many extractions — Norwegian, Swedish, Danish, Icelandic, Russian, German, French, Scotch, English, Swiss, Welch, Irish, Dutch and many others. Fourteen years ago I visited many of these European nations in order to gain a better understanding of the background of the men and women who have built our state. They are truly "Giants in the Earth". I believe that these people will play an extremely important part in the development of an American race that will inherit the Earth. They live in the heart of North America.

We have nearly three hundred communities with less than five hundred inhabitants. We probably never will have great cities, but it is in these out of the way places of civilization that the heart of America beats its truest and where the people are the most genuine. In the yesteryears of my life I have learned to love this state and its people. Yes, I believe in North Dakota. Its homes are citadels of civilization; its churches are well founded; its schools have reduced illiteracy to two percent. These institutions have produced a sturdy manhood and fine womanhood.

Your Excellency the Governor, I am happy to be here today because for thirty-seven years I have given my best energies and enthusiasm toward developing neighborhood activities in order that people might find their true expression in the communities in which they live. Over thirty years ago it was my happy fortune to give to this state a country life laboratory known as THE LITTLE COUNTRY THEATRE. The story of its work has gone into every civilized country in the world. Thousands of people from everywhere have visited it and sensed its value because they know that in this laboratory the pulse of the people of North Dakota beats. Victor Hugo once said, "The theatre is the crucible of civilization. It is in the theatre that the public soul is formed."

As one looks in the face of this legislature in joint session today it is obvious that you, who represent the people, are here with one sole purpose in mind—to build this commonwealth and make it one of the finest states in the union. What is a greater service than to be a builder, a builder of humanity, a builder of neighborhoods, and a builder of a strong commonwealth?

Last July, in the City of Milwaukee, Wisconsin, the state in which I was born, I was elected Imperial Potentate of the Ancient Arabic Order of the Nobles of the Mystic Shrine for North America. Since that time I have addressed more than

one hundred thousand people throughout North America telling them that just as they love their California, their Ohio, their Maine or their Michigan so do I love my North Dakota.

On New Year's Day when I looked into the faces of a crowd of sixty-five thousand people in San Francisco and broadcast over a network of two hundred sixty-eight stations I was proud that North Dakota was being brought to the attention of millions of people. It had rained the last three days of 1944, but on New Year's Day the sun came out. As I was sitting in a car several Californians came up and said, "What do you think of our California sunshine?" I replied, "An Imperial Potentate has unusual powers. You didn't know that last night I went out, put my hands up and took the clouds out of the sky and brought some typical North Dakota sunshine to you." (Laughter.)

I am grateful to the Governor of this great state, to the Senate and its Lieutenant Governor, to the House and its Speaker for the recognition given me today in the State Capitol. I want to convey to you the same spirit that bubbles out of this heart, comes out of this mind and inspires this soul, that North Dakota is a tremendous commonwealth and that its possibilities are infinite. I thank you.

Lieutenant Governor Dahl: Thank you, Mr. Arvold, for your inspiring remarks.

Mr. Jack Aanestad of Bismarck led the Joint Assembly in singing the following selections:

#### GOD SAVE THE STATE

(Tune—America)

God bless our noble land,  
Firm may she ever stand,  
Through storm and night;  
When the wild tempests rave,  
Ruler of wind and wave,  
Do Thou our country save  
By Thy great might.

For her our prayer shall rise  
To God above the skies;  
On Him we wait:  
Thou who art ever nigh,  
Guarding with watchful eye,  
To Thee aloud we cry,  
God save the state.

#### GOD BLESS AMERICA

While the storm clouds gather  
Far across the sea,  
Let us swear allegiance  
To a land that's free;  
Let us all be grateful  
For a land so fair,  
As we raise our voices  
In a solemn prayer.

God bless America,  
Land that I love,  
Stand beside her and guide her  
Thru the night with a light from above;

From the mountains, from the prairies,  
To the oceans white with foam,  
God bless America,  
My home sweet home.

Rep. Graham moved that the joint assembly be now dissolved, which motion prevailed.

The House was called to order by the Speaker.

Rep. Blair moved that the address of Prof. A. G. Arvold be printed in the Journal of the House, which motion prevailed.

Rep. Fitch moved that the House adopt the rules of the National House of Congress as the Parliamentary Rules of this House, which motion prevailed.

The Speaker announced the following committee transfers:

Rep. Mollett has transferred from the Committee on Drainage and Irrigation to the Committee on Public Debt.

Rep. Bureau has transferred from the Committee on Public Debt to the Committee on Drainage and Irrigation.

The Committee on Drainage and Irrigation is now increased by six members and as additional members Reps. Bjella, Drovdal, Ekren, Forseth, Sandness and Mork were appointed.

As additional members on the Committee of Veterans and Military Affairs Reps. Dalzell, Belzer, Smart, Crockett, Wambheim and Moerke were appointed.

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

KENNETH L. MORGAN, Chief Clerk.

FIFTEENTH DAY AFTER RECESS  
AND SIXTEENTH DAY

Bismarck, January 17, 1945

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

MESSAGES TO THE SENATE

House of Representatives  
Bismarck, January 17, 1945

Mr. President: I have the honor to return:

Senate Bill No. 40. A Bill for an Act for the Adoption of the Revised Code of North Dakota for 1943, Consisting of Sixty-five Titles, Including an Integregation of the 1943 Session Laws, as a Complete Body of Laws, and Repealing All Laws Not Specifically Excepted.

Which the House has amended as follows:

By adding the words to the title, "Declaring an Emergency."  
And as so amended has passed.

Mr. Speaker: I have the honor to return:

Senate Concurrent Resolution No. 1. A Concurrent Resolution Providing Special Rules Fixing the Procedure to Govern in the Adoption of the North Dakota Revised Code of 1943.

Which the House has amended as follows:

In line 2 of the title strike out the word "governor" and insert in lieu thereof the word "govern."

And as so amended has passed.

KENNETH L. MORGAN, Chief Clerk.

Speaker Bergesen: With reference to the matter which came up yesterday afternoon in regard to the appeal from the decision of the Speaker—I ruled that the question was not debatable. I think the Speaker may be excused for having made an error in the ruling because it is the first time it has come up on the floor of the House in my experience in the Legislature and we are all naturally rusty on rules in the beginning.

I find that the question is debatable. In fact, it is one of the exceptions to the ordinary rule that the Speaker cannot speak on a question from the Chair. In the case of an appeal from the decision of the Speaker, the Speaker does have the right to speak without leaving the Chair, so I in effect, cut myself out from the opportunity of making a full explanation of the ruling.

I also indicated that it would require a two-thirds vote but I find that the rule is otherwise and that a majority vote is all that is necessary.

#### REPORT OF SELECT COMMITTEE

Mr. Speaker: Your committee to investigate the printing of our names on the new code has contacted Mr. Wilfred Baska and he will be willing to do this work. Since the work must be done in his spare time, he will only be able to take care of two sets per evening and will commence work Thursday evening. A charge of 50c a set will be made.

REP. McINNES, Chairman.

Rep. Crockett moved that the report be adopted and the committee discharged, which motion prevailed and the committee was discharged.

Rep. Johnson of Cass moved that the Speaker appoint a committee of three to confer with a like committee from the Senate for the purpose of investigating what furniture is required in our committee rooms and stenographers' rooms. We should have some new furniture in those rooms. The furniture we now have really does not fit this building, which motion prevailed.

The Speaker appointed Reps. Johnson of Cass, Stanley and Bubel.

#### FIRST READING OF HOUSE BILLS

Introduced by Hofstrand; Schnell; A. H. Nystrom; Olaf Ostgulen; Cornelius Bymers; Bjorn Fuglestad; Arlan Stair; Curtis Olson, Edwin L. Bagge, J. H. Heckman; Louis Leet; Haugen; Moerke; Mollet; Levin; Moe; Halcrow; Langley; Sandness.

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

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

Reps. Hovey and Olson of Barnes introduced:

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 57-1529 of the Revised Code of 1943.

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

Introduced by Representatives Olaf Ostgulen, F. J. Graham, A. W. Benno, Mal Gainor, Bernt Anderson, Frank Lindberg, K. A. Fitch, M. B. Hogoboom, Cornelius Bymers, C. H. Hofstrand:

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

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

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

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

KENNETH L. MORGAN, Chief Clerk.

#### SIXTEENTH DAY

Bismarck, January 17, 1945

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

Prayer was offered by Rev. A. E. Smith.

Roll call: All members present except Reps. Olson of Bowman, Bagge and Boulden.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the Fourteenth Day and Fifteenth Day and recommends that the same be corrected as follows:

Change the word "close" to read "beginning" in the 14th line from the bottom of page 97.

On the first line of page 98 change the word "rising" to "viva voce."

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

Rep. Johnson of Richland moved that a committee of three be appointed to notify the Senate that the House is ready to receive the Senate in Joint Session, which motion prevailed.

The Speaker appointed Reps. Johnson of Richland, Maher and Bjella.

Rep. Johnson of Richland moved that the House recess for the purpose of going into Joint Session with the Senate at 3:00 o'clock p. m., which motion prevailed.

#### JOINT ASSEMBLY

The Joint Assembly was called to order by Lieutenant Governor Dahl.

Lt. Gov. Dahl: This is one day that most of us, I am sure, probably all of us, will not forget—the memorial ceremonies of one of the most respected members who has ever served in the North Dakota legislature. It is my privilege at this time to introduce to you the man who is going to proceed with the joint session this afternoon, the Honorable Mr. Speaker, A. R. Bergesen.

Speaker Bergesen: Thank you, Lt. Gov. Dahl. This is indeed an auspicious occasion, recognizing the great work of the late L. L. Twichell.

Rep. Fitch moved that a committee of two be appointed to escort Governor Aandahl and Chief Justice Christianson of the Supreme Court to the rostrum. The Speaker appointed Rep. Fitch and Senator Foss.

Governor Aandahl and Chief Justice Christianson were escorted to the rostrum.

Prayer was offered by Rev. Paul G. Hayes, pastor of the McCabe Methodist Church of Bismarck.

Speaker Bergesen: Mr. Governor, Mr. Chief Justice, Distinguished Guests, Members of the Joint Assembly and Ladies and Gentlemen, I present to you Rep. Arthur W. Benno of Ward County, chairman of the Twichell Memorial Committee who will act as chairman of this ceremony.

Rep. Benno: Honorable Governor, Mr. Chief Justice, Members of the Senate, House of Representatives and Friends: We are gathered in Joint Assembly this afternoon out of respect for, and in honor of, the late L. L. Twichell. In presenting this lasting memorial to the State of North Dakota, it is our hope that those who meet in these Chambers in the future, will be inspired by its presence, as those who served with him were inspired by his presence in the past. One of the greatest gifts to man is the blessed gift of memories. May those who knew Mr. Twichell, honor and cherish them always.

Alex Jardine is not able to be here today, but he was a very close friend of Mr. Twichell's. I am appointing Mr. Yirchott of Fargo to represent Mr. Alex Jardine. Mr. Yirchott is a successor of Twichell's in the House of Representatives.

I also have another announcement. Rep. Halcrow served with Mr. Twichell in 1921 and through the 20's up to 1931 then returning in 1943. At this time I wish to make Rep. Halcrow an honorary member of the Twichell Memorial Committee.

Vocal Solo by Sally Larson Perry—"Oh, Rest in the Lord"—Mendelsohn, accompanied by Miss Belle Mehus.

Rep. Benno: I now present Mr. John Pollock who was an associate of Mr. Twichell's in his early days as a lawyer. His talk will be on the early life and business association with Mr. Twichell. Mr. Pollock.

Mr. Pollock: Inasmuch as this is my first appearance as a speaker before the North Dakota Legislature and also my first appearance on a program for the unveiling of commemorative statuary, I am more or less ignorant of what may be expected of one on such an occasion. However, I have heard it said that even ignorance may be a virtue, if at times it shows itself intelligently.

Many of us now in North Dakota do not know that in the late 90s and early years of this century, we had on the statute books of the state a law which required only a 90 day residence in order to procure a divorce. In those days the City of Fargo was proud to call itself "The Biggest Little City in the World" and maintained within its confines a divorce colony which gave it the same type of artificial life which now surrounds the City of Reno, Nevada. Of course, those were the "horse and buggy" days with the high, three-seated "drags" or "tallyhos" to which a four horse motive power was attached. The leisure class of the town consisted of three or four sons of the idle rich who did their best to maintain the social amenities with the divorce colony. Many of the divorce colony set up their own establishments and maintained their own buggies and phaetons with fine horses and coachmen. Of a Sunday morning the young bloods would don their Prince Albert coats and high silk hats and walk down the street swinging a cane. Whether their attendance



on church was for worship or to show off their super-vestment is still a question in my mind.

It was into such an atmosphere that Late Twichell stepped when he came to North Dakota to practice law. After his death, in disposing of his personal effects, we found the mute evidence of his concession to the period in a sole leather hat box containing a high silk hat and a derby, neither of which had I ever seen him wear.

Late was born at Hastings, Minnesota, where the family lived until moving to Minneapolis during his school years. Late came from a family in comfortable circumstances and was given an excellent education. He was graduated in law from the University of Minnesota and was admitted to the practice of law in 1897. During his summer vacations at the university, he spent some of his time on the farm of his brother, Treadwell Twichell, near Mapleton, in Cass County. In those vacation periods he had tried his hand at carpentry and had either built or assisted in building many of the buildings on that large farm. During his college years he was student manager of the football team and he also did some newspaper work on the old Minneapolis Journal.

As a young man, Late was meticulous about his personal appearance and in the early years of my association with him, he always made semi-annual trips to Minneapolis to buy his spring and fall outfits from his favorite tailor.

My close association with him commenced in the summer of 1906 when I entered my father's law office as an alleged stenographer after a six weeks' summer course at a local business college. In visiting with his brother, Treadwell, at one time he remarked that since Late took off his kilts he never had seen him when he did not have at least enough money so that he could jingle the coins in his pocket. When I came to know Late his bank was in his side trousers pocket and consisted of a good sized roll of bills. My father was always warning him of the danger of hold-up or robbery and finally prevailed upon him to open a checking account. This he did and continued it until the time of his death.

During the first years that I was associated with him, his chief recreation was fishing. Then there was some agitation for the revival of the country club idea which had died down after the close of the easy divorce era. I recall that on a number of occasions Late would come back to the office at the end of the afternoon with his shoes and trousers showing the effects of long tramps which he made up and down both sides of the river looking for a suitable site on which to establish a golf course. He did not favor the site finally selected as it was flat prairie land, but that did not prevent him from being a very active member and he became chairman of the greens committee to build and maintain the course. He finally became so much interested in that part of the club that he practically abandoned the game of golf and had no time to enter the several tournaments as he had formerly done.

In his younger days in Minneapolis, Late had been active in the work of the Methodist Church, being one of the young people's group in the Church and even singing in the choir. After I came to know him he was not regular in his church attendance, but he always believed in what the church

stood for. I recall that when Billy Sunday came to Fargo about 1910 or 1911 to hold a series of revival meetings, all of the Protestant Churches except one agreed to close their churches and combine their services with Billy. One of the old time ministers refused to join up and Late approved of his stand, so during the period when services were held, Late and several of his friends, who rarely attended church, were in regular attendance at the church which did not join with the others.

Late had a great loyalty to his Alma Mater and rarely, if ever, missed returning to the University each fall for Homecoming Day. A few years before his death he stayed late in the fall at the lake home near Bemidji. He wanted to go down for a certain game, but had no tickets, so he called his nephew in Minneapolis and asked him to see if he could locate some tickets for him. When he got to Minneapolis he found that the nephew had secured some excellent seats for him and he was much pleased over it until he learned that the nephew had gone to the athletic management of the University and told them whom the tickets were for. Because of his former connection with the athletic department, they had immediately provided him with the best they had available. Late did not like anything which smacked of special privilege and during all his years after college had never attempted to use the fact that he had formerly held a position which would entitle him to good accommodations at any athletic event. You, here in the Legislature, who knew him well in his later years, will appreciate that he was the last one to ask for special favors. He felt that anything in which he had a hand should stand on its own merit and that special privilege had no place in the ordinary run of things.

Late Twichell was of a caliber that when he made friends he would go to any length, including personal inconvenience, to be of service to those friends. He was absolutely loyal. His integrity was of the highest order. In the days when the snuff lobby was maintained here in this Legislature, he was approached by a go-between for the interests and offered a very generous reward if he would throw his influence to their side of the matter. Because of the manner in which the offer was made and the character of the go-between, he did not report the matter officially, but warned the go-between that if he did not keep away from the Legislature and get out of the city of Bismarck, he would have him brought before the bar of the House on the charge of attempted bribery.

I have always felt that if Late Twichell had married early in life and had had the incentive which maintenance of a family always gives a man, he would have become one of the leaders of the bar in this State. As it was, he had only himself to care for and Late's wants were not many and his tastes in later years were not expensive. He always had enough money to satisfy his needs and he was not of an acquisitive nature, so he had no urge to acquire money. He had a fine mind, good legal training, and I came to know him as one of the best equipped lawyers at drawing a contract, or examining an abstract of title, whom I have known in my time as a lawyer. It was those same traits of thorough investigation of a subject which made him of such value during his long period of service in this Legislature. As his

brother, Treadwell Twichell, was wont to say of Late, he could spot a joker in a contract quicker than any man he had ever known. You who served with him here will recall him sitting with his feet on his desk, reading a book or a newspaper, smoking one of those stogies, apparently oblivious to all action taking place, but at the instant anything out of the ordinary came into the debate of the House, he was on his feet, in perfect command of the situation, and in complete possession of everything that had taken place.

In his passing, North Dakota has lost an outstanding legislator who for 30 years devoted much of his time and effort to the betterment of legislation and the interests of the State of North Dakota at large. Even in the periods between legislative sessions he kept in touch with affairs here at the capitol. His advice was good. His loyalty was unflinching and his integrity was above question. It is fitting that we gather here today and pause in our regular routine of life to honor this man and to dedicate this likeness of him so that the living and those who come afterward will know of his service and devotion to his adopted state.

Rep. Benno: We are especially pleased this afternoon to have with us Mrs. Mary E. Bignall, who will at this time unveil the sculptured bust of her uncle, the late L. L. Twichell.

Rep. Benno: I now present Mrs. John B. Cooley of Minot. It was to the Cooley home that Mr. Twichell always went to rest when the session ended and he spent many of his happy days at their lake home in northern Minnesota. Mrs. Cooley.

Mrs. Cooley: Mr. Speaker, Governor Aandahl, Mr. Chief Justice, Members of the 29th Legislative Assembly, Ladies and Gentlemen:

I have been asked to tell you something of the later years of Mr. Twichell's life, when declining health made it necessary for him to be out-of-doors as much as possible. He had been our attorney for years, and about 14 years ago, he began to spend his summers at our summer home on Lake Julia, a pretty little lake, 11 miles north of Bemidji. During those years his chief interests were legislation and the lake. He designed and superintended the construction of a log cabin, 24x40, on our lake-shore property, personally selecting each balsam log used in the building. All the inside finishing he did himself. It was a handsome cabin, with room for 12 people. The kitchen was the most conveniently arranged any housewife could wish, a model of efficiency. Although a bachelor, he used to say he could keep house as well as any woman, and his duck dinners in hunting season (always stag affairs), prepared entirely by himself, were epicurean feasts.

The large living room of the cabin was the scene of many a neighborhood gathering. Mr. Twichell built a large fireplace on the lakeshore for picnics, weiner and corn roasts. He was the children's pal, and they loved him. Our youngest girl was his god-daughter, and he took his responsibility very seriously. He made a playground for the children with swings, a merry-go-round, and a tree-house with a tea-table and chairs made out of birch. He used birch-slab to make attractive flower boxes, which were placed around the cabin and on tree stumps in the yard.

As he worked around the place doing such things as

building a dock, or a diving raft for our three girls, he could be heard lustily singing old Methodist revival hymns, two of his favorites being "Bringing in the Sheaves," and "Shall We Gather at the River," hymns he had sung in earlier years at the Hennepin Avenue Methodist Church in Minneapolis, of which he was a life-long member. Often when he missed a nail, he punctuated his singing with a word or two that might be found in the Bible, then immediately took up the refrain again where he had left it off.

He always wanted pancakes for breakfast, and a few extra had to be made for his pet chipmunks. During the last six or seven years, press of business prevented Mr. Cooley and me from spending much time at the lake, but our three girls and Mr. Twichell got along famously without us. He helped raise our family, insisting upon their maintaining regular hours, having good table manners, and doing a good job of housekeeping. Our oldest daughter is now 19 and our youngest 15, and all look back on those summers as very wonderful times. It was an all-weather cabin, kept always stocked with food. Mr. Twichell and Fred Ingstad drove up there between seasons. Fred Ingstad, his companion on many trips, was his companion also on his last, taking him home from Bismarck on the 30th of March, and was the last to see him alive. He told Fred he had never been so tired in his life.

Mr. Twichell liked to swim. It was a sight to see him in the lake with his hat on, matches stuck in the brim, to light the cigar, without which he was seldom seen. Always an ardent fisherman he had gone on long trips up the Lake of the Woods. As he grew older, he was content to troll on our own lake, until rowing tired him too much. He had looked forward to fishing again last summer with the outboard motor given him by House members in the 1943 session.

He was a great gardener, and had a passion for flowers. His ambition was to raise as fine glads as John Pollock. Each year he had a fine vegetable garden, flanked by fruit trees and raspberries, and a flower garden that was a gorgeous sight, with blooms from early summer to fall. His tulips, roses, delphinium and other perennials still bloom there in his memory. He had lovely annuals too, but he once told me he wanted mainly perennials, as he didn't know what spring he might not come back.

Always he was thinking of state affairs, and often as he rested on his couch at the cabin, he would discuss with us some method of procedure. He liked to discuss legislative matters with the Hon. L. R. Dickinson, lumberman from Bemidji, member of the Minnesota House of Representatives, whose Buena Vista ranch is just across the road from our place. So far as I know, Mr. Twichell was the one legislator in North Dakota's history to give his time and thought to matters of legislation the year-round for more than 30 years. And he died with his boots on, giving to his state the last measure of his waning strength during the special session of last March.

Always a bachelor, with no intention of giving up his freedom, he had yet great admiration for several women. There were two he sometimes called long distance at midnight, when some bill in the session seemed to him to need their attention, Mrs. Elizabeth Preston Anderson, President,

or Mrs. Barbara H. Wylie, state secretary of the WCTU. He always voted right on temperance bills, though he used to say a man who didn't drink had no way of knowing how important temperance was. The legislative ability of Mrs. Minnie Craig, former House member from Benson County, won his admiration. He used to say he could always depend on Mrs. Craig's knowing the status of any bill. In recent years he warmly praised Miss Brynhild Haugland, Representative from Ward County, whom he said had one of the keenest legislative minds in the session, and he had great respect for her analysis of pending legislation. He was proud of the record made as parliamentarian of the National Federation of Music Clubs by Mrs. J. A. Jardine of Fargo, whom he had coached in parliamentary law, and who became National President of the Federation.

One little woman for whom he had great affection was his niece, Mrs. Bignall, Treadwell's youngest daughter, whose efficient management of the big Twichell farm he so admired.

Then there were his friends, our neighbors at the lake: Mrs. McFadden, who brought him pies; Mrs. Dickinson, who gave him cream; Mrs. Wagner, who helped him with his garden problems or drove him to town when he was short of nails or cigars. Little things, perhaps, but they meant much to him. Best of all he loved our little girls and their chums, the two Dickinson girls. He would give them each a dollar to spend when they went to the county fair. These girls and Jo Rockwell, granddaughter of Mr. and Mrs. J. M. Gillette of the university, whose summer home is also on Lake Julia, comprised the Lake Julia Little Theater Group for whom he and Mr. Dickinson built a stage on the Dickinson lawn, for their annual performances, events that drew as many as 300 guests, and had press notices in papers from Minneapolis to Minot. He was both amused and annoyed when one of these news stories mentioned him as grandfather of the Cooley girls, and he wired Hal Davies of the Minot Daily News, "Strike out the word grand, and insert in lieu thereof the word god, as I never met either of the grandmothers of the Cooley girls."

In October, 1942, the cabin burned to the ground, leaving only the magnificent stone chimney and fireplace he had built. He was alone, as he frequently was after the children went back to school. He had been out mulching his flowers for winter when he saw smoke coming from the eaves. He rushed to the cabin, but it was already in flames. He burned his face and hands trying to reach the table on which lay the watch that had been presented to him in the stormy session of 1921 when he was Speaker of the House. But the fire was too hot. The loss of his prized watch, and his set of carpenter tools, and the cabin that was not only the pride and joy of his life, but was the only real home he had, was a severe blow to him, and may have materially shortened his life.

After the 1943 session, his mood was more cheerful, due to the affection shown by his colleagues in presenting him with a fine watch to replace the one he had lost, and by the personal gift of Representative Crockett of a set of good carpenter tools. Later as he sat with us by our fireplace in our Minot home, he chuckled over the clever speech Mr. Crockett made, and said: "Do you know, I think Billy really

liked me! In spite of all the fights I had with him on the floor of the House, I think we really understood each other!" Those tools remained to the end among his most treasured possessions, for he had hopes some day to rebuild with them the home he had lost.

It was highly characteristic of L. L. Twichell that he was born on the 13th day of September—for as he explained to us, it was a tradition in the Twichell family that in each generation a boy be born on September 13th, and that he be given the initials "L. L.". Before he arrived on the scene, his family had given up hope of being able to carry on the tradition, and had given the L. L. to Late's older brother, Luther, altho he didn't meet the requirements as to date of birth. Late explained he was simply christened Lathrop, but when he reached years of discretion, he felt he should have his birthright, and to carry on the family tradition, he firmly prefixed the initial L to his name. He said his name, therefore, was L. Lathrop Twichell, the first L. being an initial only. Through some mixup his diploma from the College of Law of the University of Minnesota gave his first name as Luther, which was a source of considerable annoyance to him.

He was manager of one of the early Minnesota football teams, getting its finances on a sound basis. He was a great football fan, and rarely missed attending a Minnesota championship game.

Mr. Twichell was active in politics from the start, considering it the duty of a good citizen to take an active part in politics, which is the science of government. He often said "Politics is one place you've got to be absolutely honest." And he always was. It was not until 1913 that he entered the state legislature, and he said his reason for doing so had been to forward progressive principles in which he was deeply interested. He hadn't thot it necessary to go back to the House in 1917, but the events of that troubled session brot him back in 1919, and from then on he served continuously until his death at the close of the special session in March, 1944. Whether he was in the majority or minority, Mr. Twichell was throughout his long service, the outstanding personality in every session. Much of the important legislation during the period was stamped with his personality. His name seldom was on a bill, but there were few bills of any importance that he did not have a share in framing and in their final form. Two measures he liked to remember were his Absent Voters Law, and the Act that set up the State Seed Department, both of which he drafted. His absent voters bill became the model for similar legislation in other states of the Union, and made it possible for our servicemen all over the world to vote in the last general election. Regulations enforced by the State Seed Department have meant millions of dollars to our farmers. He was always the champion of the township system and resisted any legislation that would encroach on its powers. He said the township was the sole remaining governmental unit in which the people act directly in their own government. He saw in national centralization of power one of the greatest menaces to our American democracy. He was keenly interested in the building and maintenance of good farm-to-market roads, and fought for an adequate gas tax for this program.

**Mr. Twichell was a tremendous worker, driving himself**

unmercifully. He often put in an 18 hour day. His mind was extremely active. He kept his light burning all night, and waking, he would read till he again became drowsy, chewing on a cigar. It was so he was found, as if asleep, reclining against his pillows in his apartment on the morning of the 31st of last March.

While his body lay in solitary dignity in the funeral chapel, an elderly man who had served with him in the House years before, and with whom he had had many a clash, approached the casket. He tenderly stroked the iron-grey head, and said: "You and I were both deaf. And we often shouted at each other, and sometimes we misunderstood each other—because we couldn't hear very well. But I think you know I always loved you!" If the dead hear (and I think they do) that message was balm to a soul that was many times hurt by the misunderstanding of friends and colleagues, but whose physical exterior never showed he cared.

No one will ever know the amount of legal advice he gave without compensation. He handled the affairs of widows without a fee. He drew hundreds of bills for members during his many sessions, and refused to take a penny for the work. During a long life of service to his state, he neither expected nor received anything for himself. His one ambition was to serve. While today we honor his memory, no tribute we could pay would please him better than our determination to carry on for the best interests of the state he loved and served so faithfully and well.

His friends were too many for me to name. But to one whose friendship he valued highly, we owe a vote of thanks for his forethought in arranging for a death-mask to be made so that a likeness of his features might be preserved in the bust to be unveiled today. That was Rep. A. W. Benno of Minot.

Late Twichell could have been a wealthy man if he had desired. But money-making didn't interest him. He worked rather for riches in which there is no danger of inflation—service to his fellowmen, and to his state. Truly it might be said of him—"He who would be greatest among you, let him be servant of all."

Rep. Benno: North Dakota can be justly proud that we have a lady born in our state to whom we could turn to create this sculptured bust of Mr. Twichell. I wish to introduce to you, Mrs. Ida Bisek Prokop.

Mrs. Prokop: I maintain that a sculptor's model tells all that its creator has to say, but unusual circumstances surrounded the creation of this bust, inasmuch as I had never met Mr. Twichell in life.

When first approached with the commission I hesitated to accept it, knowing the technicalities involved would make the achievement of a good likeness difficult, perhaps impossible. I knew that a professional sculptor would never accept such a commission. But one of my philosophies is that it is better to try to do something and fail than to do nothing and succeed, and I resolved to try.

Within the grim walls of the mortuary, while working on the clay model, I encouraged Mr. Twichell's friends to come often to compare, to offer helpful suggestions, and to bring photographs to aid in carving the eyes. I knew that the

reputation I had been building for my portrait busts might be shattered. I knew that to the average public, the transformation of semi-transparent, flexible skin of the features of a person they know into something as unyielding as plaster or stone or metal, is difficult to comprehend, and that in this instance I was in no position to judge the merits or demerits of my work. I can only hope the judgment rendered by Mr. Twichell's friends meets with general approval, and that if even a reasonable likeness has been achieved, the effort may have been worthwhile.

In these days it is difficult to produce sculpture, and we did want to have it ready for this session of the legislature. Furthermore, I desired to produce it of a material as imperishable as the very pages of history the man it was to represent had written.

Bronze is unavailable, but my brother, who works with me in reproducing my clay models into metal, managed to secure a few precious pounds of zinc, and over its silver grey, with oils I produced a bronze effect. The combination is as permanent as bronze.

I'd like to avail myself of this opportunity to commend Rep. A. W. Benno, who originated the movement to have a bust of Mr. Twichell made, and to extend that commendation to the members of his committee, of the Senate and the House of Representatives, for paying this highest of high tributes to their fellow statesman. For me, it was a privilege to have endeavored to preserve for posterity, the features of a man who had done so much for the welfare of our state. For you legislators, I hope that his image in your midst will serve to inspire and to guide you in the difficult weeks ahead.

And for those who will come after us, and may ask, "Who was this man, that a bust of him should be mounted in the heart of our state capitol?" they may be told, "He was a pioneer statesman, in our pioneer days, and he gave his all to build firmer foundations for the Greater North Dakota of today, and of tomorrow."

Vocal solo by Sally Larson Perry—"Bringing in the Sheaves," accompanied by Miss Belle Mehus.

Rep. Fitch moved that the Joint Assembly be now dissolved, which motion prevailed.

The House was called to order following the Joint Session.

Rep. Bolmeier moved that the memorial ceremony be printed in the Journal, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 17, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 40.

W. J. TROUT, Secretary.

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

KENNETH L. MORGAN, Chief Clerk.



SIXTEENTH DAY AFTER RECESS  
AND SEVENTEENTH DAY

Bismarck, January 18, 1945

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

FIRST READING OF HOUSE BILLS

Reps. Brynhild Haugland, Iver Drovdal, S. A. Forseth and Palmer Levin introduced:

House Bill No. 41. A Bill for an Act Providing for the Payment of Expenses to Commissioners of the Public Service Commission.

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

Reps. Collette, Lillehaugen and Levin introduced:

House Bill No. 42. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

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

Rep. Thompson of Richland introduced:

House Bill No. 43. A Bill for an Act Making It a Misdemeanor for an Inspector of Election to Wilfully Refuse to Appoint as Judge of Election a Qualified Elector Duly Nominated by the Chairman of the County Central Committee of His Political Party as Provided by Section 16-1008 of the Revised Code of 1943, and Who Presents to Such Inspector Before the Opening of the Polls a Certificate of Nomination Duly Signed as in Said Section 16-1008 Provided, and Providing a Penalty Therefor.

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

Rep. Fitch introduced:

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certificates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of

Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

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

#### REPORTS OF STANDING COMMITTEES

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

Line 4, after the word "by" strike out the words and figures "Chapter 197, Session Laws of 1943," and insert in lieu thereof the words and figures "Sections 54-3401 to 54-3405, both inclusive, of North Dakota Revised Code of 1943,".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Graham moved that the rules be suspended and House Bill No. 5 be amended as recommended by the committee report and the lines re-numbered where necessary, which motion prevailed and the amendment was declared adopted and House Bill No. 5 placed on the calendar.

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

Line 5, after the words "provided for in" strike out the words and figures "Chap. 2, S. L. 1939," and insert in lieu thereof the words and figures "Section 4-1201, North Dakota Revised Code of 1943,".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 9 be amended as recommended by the committee report and the lines re-numbered where necessary, which motion prevailed and the amendment declared adopted and House Bill No. 9 placed on the calendar.

#### REPORTS OF STANDING COMMITTEE

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

Line 5, after the words "provided for in" strike out the words and figures "Sec. 10, Chap. 269, S. L. 1933," and insert in lieu thereof the words and figures "Sections 64-0201 to 64-0220, both inclusive, of North Dakota Revised Code of 1943,".

Line 10, strike out the figures "600.00" and insert in lieu thereof the figures "1,200.00".

Line 11, strike out the figures "15,000.00" and insert in lieu thereof the figures "14,400.00".

Line 21, after the words "provided for in" strike out the words and figures "Chapter 214, Session Laws of 1941." and insert in lieu thereof the words and figures "Sections 48-0601 to 48-0607, both inclusive, of North Dakota Revised Code of 1943."

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Fitch moved that the rules be suspended and House Bill No. 11 be amended as recommended by the committee report and the lines re-numbered where necessary, which motion prevailed and the amendments were declared adopted and House Bill No. 11 placed on the calendar.

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

Line 5, after the words "provided for in" strike out the words and figures "Sec. 5, Chap. 5, S. L. 1937," and insert in lieu thereof the words and figures "Sections 36-0401 to 36-0421, both inclusive, of North Dakota Revised Code of 1943."

Line 17, after the words "provided for in" strike out the words and figures "Chapter 214, Session Laws 1941." and insert in lieu thereof the words and figures "Sections 48-0601 to 48-0607, both inclusive, of North Dakota Revised Code of 1943."

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that the rules be suspended and House Bill No. 12 be amended as recommended by the committee report and the lines re-numbered where necessary, which motion prevailed and the amendments were declared adopted and House Bill No. 12 placed on the calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 13, have had the same under consideration and recommend that the same be amended as follows:

Lines 5 and 6, after the words "provided for in" strike out the words and figures "Chap. 203, S. L. 1937," and insert in lieu thereof the words and figures "Section 49-0203, North Dakota Revised Code of 1943,".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Allen of Grand Forks moved that the rules be suspended and House Bill No. 13 be amended as recommended by the committee report and the lines re-numbered where necessary, which motion prevailed and the amendment was declared adopted and House Bill No. 13 placed on the calendar.

Mr. Speaker: Your Committee on Appropriations to

whom was referred House Bill No. 18, have had the same under consideration and recommend that the same be amended as follows:

Line 3, strike out the figures "\$71,200.00" and insert in lieu thereof the figures "\$70,000.00".

Line 8, strike out the figures "31,400.00" and insert in lieu thereof the figures "30,200.00".

Line 18, strike out the figures "\$71,200.00" and insert in lieu thereof the figures "\$70,000.00".

Line 22, after the words "provided for in" strike out the words and figures "Chapter 214, Session Laws of 1941." and insert in lieu thereof the words and figures "Sections 48-0601 to 48-0607, both inclusive, of North Dakota Revised Code of 1943."

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Haugen moved that the rules be suspended and that House Bill No. 18 be amended as recommended by the committee report and the lines re-numbered where necessary, which motion prevailed and the amendments were declared adopted and House Bill No. 18 placed on the calendar.

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

Line 3, strike out the figures "\$23,125.00" and insert in lieu thereof the figures "\$24,325.00".

Line 7, strike out the figures "\$10,800.00" and insert in lieu thereof the figures "\$12,000.00".

Line 15, strike out the figures "\$23,125.00" and insert in lieu thereof the figures "\$24,325.00".

Line 19, after the words "provided for in" strike out the words and figures "Chapter 214, Session Laws of 1941." and insert in lieu thereof the words and figures "Sections 48-0601 to 48-0607, both inclusive, of North Dakota Revised Code of 1943."

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Johnson of Cass moved that the rules be suspended and that House Bill No. 19 be amended as recommended by the committee report and the lines re-numbered where necessary, which motion prevailed and the amendments were declared adopted and House Bill No. 19 placed on the calendar.

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

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

KENNETH L. MORGAN, Chief Clerk.

## SEVENTEENTH DAY

Bismarck, January 18, 1945

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

Prayer was offered by Rev. H. E. Bergland, an employee of the House.

Roll call: All members present except Reps. Olson of Bowman and Boulden.

## MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, January 18, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

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

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

In line 10 from the bottom of page 101 insert the word "of" between the words "Floor" and "the".

In line 10 from the bottom of page 107 insert "Rep. Benno:" at the beginning of the line.

In line 13 from the bottom of page 108 correct the word "ill-weather" to read "all-weather".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

Rep. Fitch moved that the Secretary of State be requested to loan to the Associated Press a copy of the new Code for the duration of this session and that the same be returned to the Secretary of State following the session, which motion prevailed.

Rep. Anderson moved that a committee of three be appointed to escort former Speaker, Oscar Hagen, to the rostrum, which motion prevailed.

The Speaker appointed Reps. Anderson, Crockett and Symington.

Former Speaker, Oscar Hagen was escorted to the rostrum.

Speaker Bergesen: Mr. Hagen, when I first came to this legislature as a freshman, you were Speaker of the House and it has been a delight to those of us who have been associated with you, to find you here session after session, later as lieutenant governor and now as reporter of a paper, and to receive from you from time to time some very good advice.

I will ask you as former Speaker of the House to seat this House.

Mr. Speaker and Members of the Assembly: It certainly is a surprise to me to be honored by the House in this manner. I had been notified a few days ago that your Speaker, Mr. Bergesen, might call on me some time, but I surely was not entitled to the standing reception that I have now received from you folks.

I have thought many times, in fact, all of the time, of my experiences in the House. I have had the honor of presiding over both bodies of the North Dakota Legislature and as I think about the two houses, I have always felt when I sat in this chair that I was looking out over the people of North Dakota. The House of Representatives gives you the feeling that here are represented every single person and every faction in the State of North Dakota. I think it is the greatest honor that a man can have conferred upon him to preside over the House of Representatives.

I know you have a lot of differences—when I was in the House we never quarrelled about anything—I leave that to you, Mr. Speaker, but I know times have changed and I have all the respect in the world for anyone's political beliefs. I feel that I have certain political convictions that I cannot change. I give you folks credit for having the same feeling and I think that is the way it should be.

I think our state and country would be in a poor condition if people all decided to agree because someone had a majority; to agree because they were the under-dog on all of the propositions that are brought forward. I hope that, in this session, and I believe, that you members will do the right thing by the people who have sent you down here. I also hope for the sake of the job I have here, doing some reporting, that you will have some good battles. And, I can say this, if you want your names in the paper or on the air, all you have to do is get up in the House and say something, I will do the rest. I thank you very much.

Rep. Haugen moved that the remarks of our former Speaker, Oscar Hagen and the introductory remarks of Speaker Bergesen be printed in the Journal, which motion prevailed.

Rep. Blair moved that the House recess subject to the call of the Chair, which motion prevailed.

The House was called to order by Speaker Bergesen.

Rep. Johnson of Richland moved that the House do now recess until 1:30 o'clock p.m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

SEVENTEENTH DAY AFTER RECESS  
AND EIGHTEENTH DAY

Bismarck, January 19, 1945

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

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

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

House Bill No. 5.  
House Bill No. 9.  
House Bill No. 11.  
House Bill No. 12.  
House Bill No. 13.  
House Bill No. 18.  
House Bill No. 19.

And find the same correctly Engrossed.

REP. LEET, Chairman.

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

Mr. Speaker: Inasmuch as there is a great demand for copies of the House Journal for the fifteenth day after recess and sixteenth day, January 17, 1945, containing the L. L. Twichell memorial service, we hereby authorize the chief clerk to order an extra 500 copies to be printed and charged to legislative expense.

REP. WESTBY, Chairman  
House Printing Committee  
SEN. BEATON,  
Senate Printing Committee

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

Rep. Fitch moved that the courtesies of the floor be extended to former Representative Dan Panko of Sioux County, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 19, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 40 and the President has appointed as a Conference Committee, Senators Kehoe, Streibel and Day to meet with a like committee from the House.

W. J. TROUT, Secretary.

Rep. Graham moved that a conference committee of three be appointed from the House to confer with the conference

committee already appointed by the Senate in reference to Senate Bill No. 40, which motion prevailed.

The Speaker appointed Reps. Graham, Johnson of Richland and Ohnstad.

FIRST READING OF HOUSE CONCURRENT  
RESOLUTION

Reps. Ostgulen, Hofstrand, Langley and Leet introduced:  
HOUSE CONCURRENT RESOLUTION "A"

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, AND THE SENATE CONCURRING, THAT WHEREAS NORTH DAKOTA IS AN AGRICULTURAL STATE, and

1 WHEREAS, it is absolutely essential for the  
2 best interests of the people of the United States  
3 and of the State of North Dakota that maximum and  
4 uninterrupted production of all agricultural crops  
5 ordinarily raised and grown in the State of North  
6 Dakota be obtained during the period of World War II,  
7 and

8 WHEREAS, to produce and harvest a crop in  
9 North Dakota and to otherwise engage in other agri-  
10 cultural pursuits to the maximum capacity of the  
11 farmers of this State, it is absolutely necessary  
12 that they have adequate help on the farms of this  
13 State, and

14 WHEREAS, it now appears to be the policy of  
15 Selective Service to further draft and induct into  
16 the service of the United States farm boys that are  
17 essential to the operation of the farms of the State  
18 of North Dakota, and to enable its farmers to produce  
19 the maximum amount of crops and to properly harvest  
20 and care for them, and in other ways to engage in  
21 agricultural pursuits,

22 NOW, THEREFORE, BE IT RESOLVED by the  
22a House of  
23 Representatives of the State of North Dakota, the  
24 Senate Concurring Therein:

25 That the members of the House of Representatives  
26 and the Senate do hereby urge and request that the  
27 drafting of essential farm help in the State of  
28 North Dakota be kept at a minimum, and that no farm  
29 boys or farm help be drafted or inducted into the  
30 service of the United States where the same will  
31 materially reduce the possibility of the farmers  
32 involved from operating their farm units to their  
33 maximum capacity, and

34 BE IT FURTHER RESOLVED, that the Director of  
35 Selective Service be apprised of the action of the  
36 Twenty-ninth Legislative Assembly by the adoption  
37 of this resolution, and that a copy be forwarded to  
38 him, and

39 BE IT FURTHER RESOLVED, that a copy of this  
40 resolution be forwarded to the entire congressional  
41 delegation from the State of North Dakota.

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

Rep. Haugen moved that House Concurrent Resolution "A" be printed in the Journal, which motion prevailed.



## FIRST READING OF HOUSE BILLS

Reps. Schlafmann and Haugen introduced:

House Bill No. 45. A Bill for an Act Providing a Method for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.

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

Rep. Olson of Barnes moved that the absent members be excused, which motion prevailed.

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

KENNETH L. MORGAN, Chief Clerk.

## EIGHTEENTH DAY

Bismarck, January 19, 1945

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

Prayer was offered by Rev. J. C. Schweitzer.

Roll Call: All members present except Reps. Olson of Bowman, Boulden, Crockett, and Maher.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Sixteenth Day After Recess and Seventeenth Day and find the same to be correct.

And recommends that the same be approved.

REP. FUGLESTAD, Chairman.

John Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 2, have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures "\$27,057.00" and insert in lieu thereof the figures "\$32,057.00".

Line 6—Strike out the words and figures "Chap. 259, S. L. 1939," and insert in lieu thereof the words and figures "Sections 5-0319 to 5-0321, both inclusive, of North Dakota Revised Code of 1943."

Line 12—Strike out the figures "12,000.00" and insert in lieu thereof the figures "17,000.00".

Line 14—Strike out the figures "\$27,057.00" and insert in lieu thereof the figures "\$32,057.00".

Line 18—After the words "provided for in" strike out the words and figures "Chapter 214, Session Laws of 1941." and insert in lieu thereof the words and figures "Sections 48-0681 to 48-0687, both inclusive, of North Dakota Revised Code of 1943."

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Lillehaugen moved that the report be adopted.

Rep. Leet offered as a substitute motion that the report of the Committee be further amended by adding the words "and renumbering the lines."

Which motion prevailed.

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

Rep. Johnson of Cass moved that the rules be suspended and that House Bill No. 2 be amended as recommended by the Committee Report, which motion prevailed and the amendments were declared adopted and House Bill No. 2 placed on the Calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 3, have had the same under consideration and recommend that the same be amended as follows:

Lines 5 and 6—After the words "provided for in" strike out the words and figures "Sec. 11, Chap. 258, S. L. 1939," and insert in lieu thereof the words and figures "Section 53-0607, North Dakota Revised Code of 1943,".

Lines 19 and 20—After the words "as provided by" strike out the words and figures "Chapter 227, Session Laws of 1929." and insert in lieu thereof the words and figures "Section 53-0405, North Dakota Revised Code of 1943.", and the lines renumbered.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Allen of Grand Forks moved that the rules be suspended and that House Bill No. 3 be amended as recommended by the Committee Report, which motion prevailed and the amendments were declared adopted and House Bill No. 3 placed on the Calendar.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 19, 1945

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 with reference to Senate Bill No. 40, Reps. Graham, Johnson of Richland and Ohnstad.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 4, have had the same under consideration and recommend that the same be amended as follows:

Line 5, after the words "for in" strike out the words and figures "Sec. 1377, C. L. 1913," and insert in lieu thereof the words and figures "Section 15-3609, North Dakota Revised Code of 1943," and renumber the lines.

And when so amended recommend 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.

Rep. Welk moved that the rules be suspended and that House Bill No. 4 be amended as recommended by the committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 4 placed on the calendar.

FIRST READING OF HOUSE CONCURRENT  
RESOLUTION

Rep. Graham (by request) introduced:

HOUSE CONCURRENT RESOLUTION "B"

REPORT OF INTERIM LEGISLATIVE COMMITTEE  
INVESTIGATING INSURANCE DEPARTMENT

1 WHEREAS, a joint legislative committee of three  
2 members from the Senate and four members from the  
3 House of Representatives have since July 1, 1944,  
4 been investigating the Insurance Department of the  
5 State of North Dakota, pursuant to Concurrent Reso-  
6 lution B of the Special Session of the 28th Legis-  
7 lative Assembly held in March, 1944, and Chapter 29  
8 of the Session Laws of the Special Session of the  
9 28th Legislative Assembly of 1944, and

10 WHEREAS, said committee was directed by said Con-  
11 current Resolution B to report to the regular session  
12 of the Legislature in 1945 as to its findings in such  
13 investigation so that it might be determined by the  
14 Legislature in 1945 whether or not any legislation  
15 should be adopted in connection with the conduct of  
16 said Insurance Department, and

17 WHEREAS, said committee has spent \$16,000.00 of the  
18 \$20,000.00 appropriated to them for the purpose of such  
19 investigation and has in its hands a complete audit  
20 report prepared by Ernst & Ernst, public accountants,  
21 and

22 WHEREAS, the 29th Legislative Assembly is now in its  
23 eighteenth day and that it is imperative for the best  
24 interests of the State that the Legislature have pre-  
25 sented to it for its consideration the said audit  
26 report and the report of said investigating committee  
27 in order that adequate study may be given to it by  
28 members of the Legislature and that any legislation  
29 which might be advisable or required be prepared,  
30 introduced and considered, and

31 WHEREAS, all committee hearings held by said com-  
32 mittee have been in secret session, open only to the  
33 members of the committee, and

34 WHEREAS, the other members of the Legislature have  
35 no knowledge of what is contained in said report or  
36 what has been disclosed to said committee except un-  
37 founded rumor;

38 NOW THEREFORE BE IT RESOLVED BY THE  
38a HOUSE OF REP-  
39 REPRESENTATIVES OF THE STATE OF NORTH DA-  
39a OKTA, THE SENATE  
40 CONCURRING:

41 That the Interim Investigating Committee herein  
 42 before referred to, file its complete report of its  
 43 investigation of the Insurance Department of the  
 44 State of North Dakota and any and all findings or  
 45 other reports which it has to make with the 29th Leg-  
 46 islative Assembly on or before two o'clock in the  
 47 afternoon of Friday, January 26th, 1945.

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

Rep. Johnson of Cass moved that House Concurrent Resolution "B" be printed in the Journal, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 0; absent and not voting 14.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugen	Saumur
Arndt	Haugland	Schimke
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schnell
Blair	Hovey	Schwartz
Bolmeier	Isaak	Seibel
Boucher	Jennings	Sellens
Brady	Johnson, Cass.	Sharpe
Bubel	Klefstad	Shockman
Burau	Langley	Skaar
Bymers	Larson	Smart
Callahan	Leet	Stair
Collette	Levin	Stanley
Dalzell	Lillehaugen	Sticka
Devlin	Lindberg	Still
Dittmer	Luick	Stormon
Drawz	Lysne	Symington
Drovdal	McInnes	Thompson, Griggs
Ekren	Moe	Thompson, Rich'lnd
Engel	Moerke	Tuff
Esterby	Mollet	Wambheim
Falconer	Monson	Welk
Frank	Mork	Westby
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gainor	Ostgulen	Yirchott
Grenier	Pyle	Mr. Speaker
Absent and not voting:		
Boulden	Graham	Olson, Barnes
Crockett	Hildre	Olson, Bowman

Fitch	Johnson, Richland	Severson
Fleck	Maher	Wollitz
Forseth	Ohnstad	

So the bill passed as amended and the title was agreed to.  
House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.  
Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 1; absent and not voting 11.

Those voting in the affirmative were:

Acheson	Grenier	Rohrer
Allen, Grand Forks	Haag	Sailer
Allen, Pierce	Halcrow	Sandness
Anderson	Halvorson	Saumur
Arndt	Haugland	Schimke
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogoboom	Schwartz
Bolmeier	Hovey	Seibel
Boucher	Isaak	Sharpe
Brady	Jennings	Shockman
Bubel	Johnson, Cass	Skaar
Bureau	Klefstad	Smart
Bymers	Langley	Stair
Callahan	Larson	Stanley
Collette	Leet	Sticka
Dalzell	Levin	Still
Devlin	Lillehaugen	Stormon
Dittmer	Lindberg	Symington
Drawz	Luick	Thompson, Griggs
Drovdal	Lysne	Thompson, Richl'nd
Ekren	McInnes	Tuff
Engel	Moerke	Wambheim
Esterby	Mollet	Welk
Falconer	Monson	Westby
Fitch	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Ostgulen	Mr. Speaker
Graham	Pyle	

Those voting in the negative were:

Moe

Absent and not voting:

Boulden	Haugen	Olson, Bowman
Crockett	Johnson, Richland	Sellens
Fleck	Maher	Severson
Forseth	Olson, Barnes	

So the bill passed as amended and the title was agreed to.  
House Bill No. 11. A Bill for an Act Making an Appro-

priation for Salaries and Expenses of the Scale Inspection Division.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 104; nays, 0; absent and not voting 9.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugen	Saumur
Arndt	Haugland	Schimke
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogboom	Schwartz
Bolmeier	Hovey	Seibel
Boucher	Isaak	Sellens
Brady	Jennings	Sharpe
Bubel	Johnson, Cass	Shockman
Burau	Klefstad	Skaar
Bymers	Langley	Smart
Callahan	Larson	Stair
Collette	Leet	Stanley
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Ekren	McInnes	Thompson, Rich'nd
Engel	Moe	Tuff
Esterby	Moerke	Wambheim
Falconer	Mollet	Welk
Fitch	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Olson, Barnes	Yirchott
Graham	Ostgulen	Mr. Speaker
Grenier	Pyle	

Absent and not voting:

Boulden	Forseth	Ohnstad
Crockett	Johnson, Richland	Olson, Bowman
Fleck	Maher	Severson

So the bill passed as amended and the title was agreed to.

House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Graham	Pyle
Allen, Grand Forks	Grenier	Rohrer
Allen, Pierce	Haag	Sandness
Anderson	Halcrow	Saumur
Arndt	Halvorson	Schlafmann
Bagge	Haugland	Schmalenberger
Baumgartner	Heckman	Schmidt, Logan
Belzer	Hegge	Schmidt, Morton
Benno	Herk	Schnell
Bjella	Hildre	Schwartz
Blair	Hofstrand	Seibel
Bolmeier	Hogboom	Sellens
Boucher	Hovey	Sharpe
Brady	Isaak	Shockman
Bubel	Johnson, Cass	Skaar
Burau	Johnson, Richland	Smart
Bymers	Klefstad	Stair
Callahan	Langley	Sticka
Collette	Leet	Still
Dalzell	Levin	Stormon
Devlin	Lillehaugen	Symington
Dittmer	Lindberg	Thompson, Griggs
Drawz	Luick	Thompson, Rich'nd
Drovdal	Lysne	Tuff
Ekren	McInnes	Wambheim
Engel	Moe	Welk
Esterby	Moerke	Westby
Falconer	Mollet	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Frank	Mork	Wollitz
Fraser	Mortenson	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor	Ostgulen	

Absent and not voting:

Boulden	Jennings	Olson, Bowman
Crockett	Larson	Sailer
Fitch	Maher	Schimke
Fleck	Nystrom	Severson
Haugen	Olson, Barnes	Stanley

So the bill passed as amended and the title was agreed to.

House Bill No. 13. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting 15.

Those voting in the affirmative were:

Acheson	Graham	Ostgulen
Allen, Grand Forks	Grenier	Pyle
Allen, Pierce	Haag	Rohrer
Anderson	Halcrow	Sandness
Arndt	Halvorson	Saumur
Bagge	Haugland	Schlafmann
Baumgartner	Heckman	Schmalenberger
Belzer	Hegge	Schmidt, Logan
Benno	Herk	Schmidt, Morton

Bjella	Hildre	Schnell
Blair	Hofstrand	Schwartz
Bolmeier	Hogoboom	Seibel
Boucher	Hovey	Sellens
Brady	Isaak	Sharpe
Bubel	Johnson, Cass	Shockman
Bureau	Johnson, Richland	Skaar
Bymers	Klefstad	Smart
Callahan	Langley	Stair
Collette	Leet	Sticka
Dalzell	Levin	Still
Devlin	Lillehaugen	Stormon
Dittmer	Lindberg	Symington
Drawz	Luick	Thompson, Griggs
Drovdal	Lysne	Thompson, Richland
Ekren	McInnes	Tuff
Engel	Moe	Wambheim
Esterby	Moerke	Welk
Falconer	Mollet	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Frank	Mork	Wollitz
Fraser	Mortenson	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor	Olson, Barnes	

## Absent and not voting:

Boulden	Jennings	Sailer
Crockett	Larson	Schimke
Fitch	Maher	Severson
Fleck	Nystrom	Stanley
Haugen	Olson, Bowman	Westby

So the bill passed as amended and the title was agreed to.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Acheson	Gainor	Pyle
Allen, Grand Forks	Grenier	Rohrer
Allen, Pierce	Haag	Saumur
Anderson	Halcrow	Schlafmann
Arndt	Halvorson	Schmalenberger
Bagge	Haugland	Schmidt, Logan
Baumgartner	Heckman	Schmidt, Morton
Belzer	Hegge	Schnell
Benno	Herk	Schwartz
Bjella	Hildre	Seibel
Blair	Hofstrand	Sellens
Bolmeier	Hogoboom	Sharpe
Boucher	Hovey	Shockman
Brady	Isaak	Skaar
Bubel	Johnson, Cass	Smart
Bureau	Klefstad	Stair
Bymers	Langley	Stanley
Callahan	Leet	Sticka



Collette	Levin	Still
Dalzell	Lillehaugen	Stormon
Devlin	Lindberg	Symington
Dittmer	Luick	Thompson, Griggs
Drawz	Lysne	Thompson, Richl'nd
Drovdal	McInnes	Tuff
Ekren	Moe	Wambheim
Engel	Moerke	Welk
Esterby	Mollet	Westby
Falconer	Monson	Wolf, McIntosh
Forseth	Mork	Wolf, Morton
Frank	Mortenson	Yirchott
Fraser	Olson, Barnes	Mr. Speaker
Fuglestad	Ostgulen	
Absent and not voting:		
Boulden	Jennings	Olson, Bowman
Crockett	Johnson, Richland	Sailer
Fitch	Larson	Sandness
Fleck	Maher	Schimke
Graham	Nystrom	Severson
Haugen	Ohnstad	Wollitz

So the bill passed as amended and the title was agreed to. House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting 19.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halerow	Saumur
Anderson	Halvorson	Schlafmann
Arndt	Haugland	Schmalenberger
Bagge	Heckman	Schmidt, Logan
Baumgartner	Hegge	Schmidt, Morton
Belzer	Herk	Schnell
Benno	Hildre	Schwartz
Bjella	Hofstrand	Seibel
Blair	Hogoboom	Sellens
Bolmeier	Hovey	Sharpe
Boucher	Isaak	Shockman
Brady	Johnson, Cass	Skaar
Bubel	Johnson, Richland	Smart
Bureau	Klefstad	Stair
Bymers	Langley	Stanley
Callahan	Leet	Sticka
Collette	Levin	Still
Dalzell	Lillehaugen	Stormon
Devlin	Lindberg	Symington
Dittmer	Luick	Thompson, Griggs
Drawz	Lysne	Thompson, Richl'nd
Drovdal	Moe	Tuff
Ekren	Moerke	Wambheim
Engel	Mollet	Welk
Esterby	Monson	Westby

Falconer	Mork	Wolf, McIntosh
Forseth	Mortenson	Wolf, Morton
Frank	Olson, Barnes	Yirchott
Fraser	Ostgulen	Mr. Speaker
Fuglestad		
Absent and not voting:		
Boulden	Jennings	Olson, Bowman
Crockett	Larson	Sailer
Fitch	McInnes	Sandness
Fleck	Maher	Schimke
Gainor	Nystrom	Severson
Graham	Ohnstad	Wollitz
Haugen		

So the bill passed as amended and the title was agreed to.

Rep. Halcrow moved that a committee of three be appointed to escort former Senator Watt to the rostrum, which motion prevailed.

The Speaker appointed Reps. Bolmeier, Dittmer and Halcrow.

Former Senator Watt was escorted to the rostrum and addressed the House.

#### REPORT OF CONFERENCE COMMITTEE

The Conference Committee on Senate Bill No. 40 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 40, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill strike out the words "Revised Code of North Dakota for" and insert in lieu thereof "North Dakota Revised Code of". In line four of the title strike out the word "and" before the word "repealing".

Add to the title of the bill the following words: "and declaring an Emergency".

In Section 1 of the bill, in volume 1 thereof, on the fourth line from the top of page 53 strike out the figures "1-0223" and insert in lieu thereof "1-0233".

In Section 1 of the bill, in volume 1 thereof on page 110 in Section 4-0730 on line 1 thereof insert a "colon" after the words "Preferred Stock".

In Section 1 of the bill, in volume 1 thereof, on page 170 in Section 4-2101 on said page strike out the last sentence thereof and insert in lieu thereof the following: "No bounty shall be paid in any year in excess of the amount of real estate taxes levied for the year in which the bounty is claimed, upon the quarter section of land of which the parcel of land planted to trees is a part".

In Section 1 of the bill, in volume 1 thereof, on page 392 in the first line of Section 10-0338 on said page after the word "Delinquency" strike out the word "Or" and insert in lieu thereof the word "Of".

In Section 1 of the bill, in volume 1 thereof, on page 563 in the first line of Section 11-1132 on said page strike out the word "Commissions" and insert in lieu thereof the word "Commissioners".

In Section 1 of the bill, in volume 1 thereof, on page 769

in the first line of Section 12-4206 on said page after the word, "Carrying" insert the word "On".

In Section 3 of the bill, in the second line thereof strike out the figures "1-0223" and insert in lieu thereof "1-0233".

For the House:

F. J. GRAHAM  
VERNON M. JOHNSON  
MANFRED R. OHNSTAD

For the Senate:

J. J. KEHOE  
R. M. STREIBEL  
CARROLL E. DAY

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

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 19, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 40. A Bill for an Act for the Adoption of the North Dakota Revised Code of 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, Repealing All Laws Not Specifically Excepted; and Declaring an Emergency.

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

W. J. TROUT, Secretary.

Rep. Blair moved that the House concur in the amendments of the Conference Committee to Senate Bill No. 40, which motion unanimously carried.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 19, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Conference Committee amendments to Senate Bill No. 40.

KENNETH L. MORGAN, Chief Clerk.

Rep. Bubel moved that the rules be suspended and that Senate Bill No. 40, as amended, be placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 40. A Bill for an Act for the Adoption of the North Dakota Revised Code of 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, Repealing All Laws Not Specifically Excepted; 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, 0; absent and not voting, 16.

Those voting in the affirmative were:

Acheson	Haugland	Sandness
Allen, Grand Forks	Heckman	Saumur

Allen, Pierce	Hegge	Schimke
Anderson	Herk	Schlafmann
Arndt	Hildre	Schmalenberger
Bagge	Hofstrand	Schmidt, Logan
Baumgartner	Hogboom	Schmidt, Morton
Belzer	Hovey	Schnell
Benno	Isaak	Schwartz
Bjella	Johnson, Cass	Seibel
Blair	Johnson, Richland	Sellens
Bubel	Klefstad	Sharpe
Burau	Langley	Shockman
Bymers	Leet	Skaar
Callahan	Levin	Smart
Collette	Lillehaugen	Stair
Dalzell	Lindberg	Stanley
Devlin	Luick	Sticka
Dittmer	Lysne	Still
Drawz	McInnes	Stormon
Drovdal	Moe	Symington
Ekren	Moerke	Thompson, Griggs
Engel	Mollet	Thompson, Rich'nd
Falconer	Monson	Tuff
Frank	Mork	Wambheim
Fraser	Mortenson	Welk
Fuglestad	Nystrom	Westby
Gainor	Olson, Barnes	Wolf, McIntosh
Graham	Ostgulen	Wolf, Morton
Grenier	Pyle	Wollitz
Haag	Rohrer	Yirchott
Halcrow	Sailer	Mr. Speaker
Halvorson		
Absent and not voting:		
Bolmeier	Fitch	Larson
Boucher	Fleck	Maher
Boulden	Forseth	Ohnstad
Brady	Haugen	Olson, Bowman
Crockett	Jennings	Severson
Esterby		

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. 40 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 33.

And find the same correctly Enrolled.

REP. LEET, Chairman.

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

#### REPORTS OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 16, have had the same

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

Line 4, strike out the figures "\$836,225.50" and insert in lieu thereof the figures "\$837,725.50".

Line 50, strike out the figures "1,500.00" and insert in lieu thereof the figures "3,000.00".

Line 54, strike out the figures "\$1,176,225.50" and insert in lieu thereof the figures "\$1,177,725.50".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 31, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

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

Line 4, strike out the figures "\$471,505.00" and insert in lieu thereof the figures "\$471,605.00".

Line 49, strike out the figures "5,000.00" and insert in lieu thereof the figures "8,000.00".

Line 52, strike out in its entirety.

Line 53, strike out the words "Two Steel".

Line 63, strike out the figures "\$504,005.00" and insert in lieu thereof the figures "\$504,105.00".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 17, have had the same under consideration and recommend that the same be amended as follows:

Line 2, strike out the figures "\$25,000.00" and insert in lieu thereof the figures "\$28,000.00".

Line 14, strike out the figures "22,900.00" and insert in lieu thereof the figures "25,900.00".

Line 31, strike out the figures "72,110.00" and insert in lieu thereof the figures "75,110.00".

Line 38, strike out the figures "\$78,060.00" and insert in lieu thereof the figures "\$81,060.00".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 10, have had the same

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

Lines 5 and 6, after the words "provided for in" strike out the words and figures "Sec. 1 (s), Chap. 188, S. L. 1931 and amendments thereto," and insert in lieu thereof the words and figures "Sections 49-1801 to 49-1805, both inclusive, of North Dakota Revised Code of 1943,".

Line 8, strike out the figures "\$5,600.00" and insert in lieu thereof the figures "\$6,600.00".

Line 10, strike out the figures "3,600.00" and insert in lieu thereof the figures "2,600.00".

Line 19, after the words "provided for in" strike out the words and figures "Chapter 214, Session Laws of 1941." and insert in lieu thereof the words and figures "Sections 48-0681 to 48-0687, both inclusive, of North Dakota Revised Code of 1943." and further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Johnson of Cass moved that the rules be suspended and that House Bill No. 10 be amended as recommended by the committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 10 placed on the calendar.

#### FIRST READING OF HOUSE BILLS

Reps. Bymers, Esterby, Haugland, Forseth, Haugen, Monson, Levin, Halvorson, Sandness, Seibel, Fleck, Stair, Fraser, Schnell, Drovdal, Stormon, Leet, and Hofstrand introduced:

House Concurrent Resolution "C." Memorializing Congress to Create a Missouri Valley Authority for the Unified Development of the Water and Allied Resources of the Missouri River Basin and Its Tributaries to Their Greatest Potentialities.

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

- 1    WHEREAS, The harnessing and utilization of the
- 2    waters and other resources of the Missouri Valley
- 3    Region affords the greatest opportunity of any
- 4    great region during the postwar era for the dev-
- 5    elopment of agriculture, commerce, industry,
- 6    conservation, and recreation; and
- 7    WHEREAS, The urgency of the problems caused by
- 8    the recurrence of devastating droughts in the
- 9    upper agricultural area of the valley and dis-
- 10   astrous floods in the lower portion of the
- 11   watershed, together with the related problems
- 12   of soil erosion and loss of soil fertility,
- 13   the pressing needs for low cost transportation
- 14   and cheap and abundant electric power, and the
- 15   necessity for the balanced development of the
- 16   other natural resources of the region, demand
- 17   that the Missouri River system and its water-
- 18   shed be controlled and utilized for purposes

19 of irrigation, flood control, navigation, el-  
 20 ectric power, municipal uses, and recreational  
 21 and other incidental purposes, and that ade-  
 22 quate measures for water control on the land  
 23 and the development of the other natural re-  
 24 sources of the region be undertaken, all in such  
 25 a manner as will promote the balanced agricul-  
 26 tural and industrial development of the Missouri  
 27 Valley Region; and

28 WHEREAS, All of these purposes and measures can  
 29 be achieved to the most desirable extent for the  
 30 benefit of the seven million people who live in  
 31 The Missouri Valley only through a well-integrated  
 32 program of unified water control and resource de-  
 33 velopment with responsibility for planning, con-  
 34 struction and administration clearly fixed in a  
 35 single regional agency that will become intimate-  
 36 ly acquainted with the needs and desires of the  
 37 people of the valley; and

38 WHEREAS, For the past twelve years the Nation has  
 39 witnessed in the Tennessee Valley region a prac-  
 40 tical demonstration of the most efficient and  
 41 democratic method of developing natural resources,  
 42 where the Tennessee Valley Authority—a federal  
 43 regional agency responsible directly to the Pres-  
 44 ident and Congress and authorized to deal with  
 45 the development of all the resources of a great  
 46 river region as a unified whole in cooperation  
 47 with the people of the region and their insti-  
 48 tutions, local, state and federal—has success-  
 49 fully provided for the unified control and uti-  
 50 lizations of water in the river and on the land,  
 51 and the intergrated development of the other re-  
 52 sources of the region, in cooperation with exist-  
 53 ing federal agencies, state governments, and  
 54 local authorities to the great benefit of all  
 55 people, improving the condition of farmers, sti-  
 56 mulating new industries, and making more pros-  
 57 perous existing business enterprises.

58 NOW, THEREFORE, BE IT RESOLVED That the  
 58a Legis-  
 59 lature of North Dakota urgently requests the  
 60 Congress of the United States to enact legisla-  
 61 tion creating a Missouri Valley Authority which  
 62 shall be patterned upon the administrative prin-  
 63 ciples of the Tennessee Valley Authority as a  
 64 genuine decentralized regional agency directly  
 65 responsible to the President and Congress and  
 66 the programs of which shall be designed to meet  
 67 the particular conditions, problems and oppor-  
 68 tunities of water control and resource develop-  
 69 ment of the Missouri Valley region, including re-  
 70 sponsibility for the formulation and carrying out  
 71 of a plan for the unified control and develop-  
 72 ment of the waters of the Missouri River system  
 73 in cooperation with and with due respect for the  
 74 rights of the various states and local governing  
 75 authorities of the Missouri region, and utilizing  
 76 and improving the basic engineering proposals

77 jointly prepared by the Corps of Engineers and  
 78 the Bureau of Reclamation; and  
 79 **BE IT FURTHER RESOLVED:** That the Secretary of  
 79a State  
 80 forward copies of this resolution to the President  
 81 and Vice President of the United States, to all  
 82 members of the Congress and to the presiding off-  
 83 icer of the respective houses of the state legis-  
 84 latures of the other states in the Missouri River  
 85 basin, namely Colorado, Wyoming, Montana, South  
 86 Dakota, Iowa, Nebraska, Kansas, and Missouri.

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

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

#### SIGNING OF BILLS

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

House Bill No. 33.

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

#### MESSAGES TO THE SENATE

House of Representatives  
 Bismarck, January 19, 1945

Mr. President: I have the honor to transmit:

House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

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

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
 Bismarck, January 19, 1945

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

Senate Bill No. 40. A Bill for an Act for the Adoption of the North Dakota Revised Code of 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, Repealing All Laws Not Specifically Excepted; and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

Rep. Johnson of Cass moved that action taken on House Bill No. 13 be reconsidered and that House Bill No. 13 be referred to the Committee on Appropriations, which motion prevailed.

House Bill No. 13 was re-referred to the Committee on Appropriations.

Rep. Johnson of Richland moved that the House be on the eighth order of business, which motion prevailed.



## MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 19, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 40. A Bill for an Act for the Adoption of the North Dakota Revised Code of 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, Repealing All Laws Not Specifically Excepted; 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. 40.

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

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 19, 1945

Mr. President: I have the honor to return:

Senate Bill No. 40. A Bill for an Act for the Adoption of the North Dakota Revised Code of 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, Repealing All Laws Not Specifically Excepted; and Declaring an Emergency.

Which the Speaker has signed:

KENNETH L. MORGAN, Chief Clerk.

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

KENNETH L. MORGAN, Chief Clerk.

EIGHTEENTH DAY AFTER RECESS  
AND NINETEENTH DAY

Bismarck, January 20, 1945

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

## REPORTS OF STANDING COMMITTEES

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 be indefinitely postponed.

REP. JOHNSON of Cass, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Lillehaugen moved that the vote by which House Bill No. 6 was declared indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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

Line 2—Strike out the figures "\$317,500.00" and insert in lieu thereof the figures "\$367,300.00".

Lines 4 and 5—After the words "provided for in" strike out the words and figures "Sec. 22 and Sec. 23, Chapter 258, Session Laws of 1931," and insert in lieu thereof the words and figures "Section 4-09, North Dakota Revised Code of 1943,"

Line 8—Strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$12,000.00".

Line 9—Strike out the figures "24,000.00" and insert in lieu thereof the figures "28,800.00".

Line 10—Strike out the figures "20,000.00" and insert in lieu thereof the figures "22,000.00".

Line 11—Strike out the figures "10,600.00" and insert in lieu thereof the figures "12,500.00".

Line 12—Strike out the figures "100,000.00" and insert in lieu thereof the figures "120,000.00".

Line 13—Strike out the figures "9,900.00" and insert in lieu thereof the figures "8,000.00".

Line 14—Strike out the words "& Advertising" in their entirety and further amend by striking out the figures "17,000.00" and inserting in lieu thereof the figures "10,000.00".

Insert a new line as follows:

"14a Advertising and Research.....25,000.00"

Line 15—Strike out the figures "36,000.00" and insert in lieu thereof the figures "46,000.00".

Line 17—Strike out the figures "8,000.00" and insert in lieu thereof the figures "9,000.00".

Line 18—Strike out the figures "10,000.00" and insert in lieu thereof the figures "8,000.00".

Line 21—Strike out the figures "14,000.00" and insert in lieu thereof the figures "28,000.00".

Line 22—Strike out the figures "50,000.00" and insert in lieu thereof the figures "30,000.00".

Line 23—Strike out the figures "\$317,500.00" and insert in lieu thereof the figures "\$367,300.00".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Allen of Grand Forks moved that House Bill No. 14 be referred to General Orders, 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 be amended as follows:

Line 4—Strike out the figures "\$346,395.97" and insert in lieu thereof the figures "\$347,195.97".

Insert a new line as follows:

"40a 5. Farm Machinery.....800.00"

Line 43—Strike out the figures "\$371,395.97" and insert in lieu thereof the figures "\$372,195.97".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

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

REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on School and Public Land to whom was referred House Bill No. 35, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. SANDNESS, Chairman.

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

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 2.

House Bill No. 3.

House Bill No. 4.

And find the same correctly Engrossed.

REP. LEET, Chairman.

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

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

House Bill No. 10.

And find the same correctly Engrossed.

REP. LEET, Chairman.

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

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

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

KENNETH L. MORGAN, Chief Clerk.

#### NINETEENTH DAY

Bismarck, January 20, 1945

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

Prayer was offered by Rev. J. C. Schweitzer.

Roll call: All members present except Reps. Olson of Bowman, Baumgartner, Belzer, Bolmeier, Boulden, Bymers, Crockett, Drawz, Esterby, Fitch, Forseth, Haugen, Hegge, Herk, Jennings, Johnson of Cass, Maher, Mork, Ohnstad, Olson of Barnes, Schwartz, Severson, Smart, Welk, Wolf of McIntosh, and Speaker Bergesen.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, January 20, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 21. A Bill for an Act Making an Appro-

apropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

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

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, January 20, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

House Bill No. 11. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

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

KENNETH L. MORGAN, Chief Clerk.

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

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

Immediately preceding "Report of Conference Committee" on page 134 insert the following: "Rep. Halcrow moved that a committee of three be appointed to escort former Senator Watt to the rostrum, which motion prevailed. The Speaker appointed Reps. Bolmeier, Dittmer and Halcrow."

Former Senator Watt was escorted to the rostrum and addressed the House."

On page 127 correct the word "Insurance" in the title of House Concurrent Resolution "B."

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

FIRST READING OF HOUSE BILLS

Reps. Leet, Graham, Hofstrand, Stormon and Skaar introduced:

House Bill No. 46. A Bill for an Act Requiring that County Auditors Be Notified Whenever Lands Owned by the State or Any County or Municipal Corporation Are Sold Upon Contract Providing for a Future Conveyance; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor, Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

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

SECOND READING OF HOUSE BILLS

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 0; absent and not voting, 26.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugland	Saumur
Arndt	Heckman	Schimke
Bagge	Hildre	Schlafmann
Benno	Hofstrand	Schmalenberger
Bjella	Hogoboom	Schmidt, Logan
Blair	Hovey	Schmidt, Morton
Boucher	Isaak	Schnell
Brady	Johnson, Richland	Seibel

Bubel	Klefstad	Sellens
Burau	Langley	Sharpe
Callahan	Larson	Shockman
Collette	Leet	Skaar
Dalzell	Levin	Stair
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drovdal	Luick	Still
Ekren	Lysne	Stormon
Engel	McInnes	Symington
Falconer	Moe	Thompson, Griggs
Fleck	Moerke	Thompson, Richl'nd
Frank	Mollet	Tuff
Fraser	Monson	Wambheim
Fuglestad	Mortenson	Westby
Gainor	Nystrom	Wolf, Morton
Graham	Ostgulen	Wollitz
Grenier	Pyle	Yirchott
Absent and not voting:		
Baumgartner	Forseth	Olson, Barnes
Belzer	Haugen	Olson, Bowman
Bolmeier	Hegge	Schwartz
Boulden	Herk	Severson
Bymers	Jennings	Smart
Crockett	Johnson, Cass	Welk
Drawz	Maher	Wolf, McIntosh
Esterby	Mork	Mr. Speaker
Fitch	Ohnstad	

So the bill passed and the title was agreed to.

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 0; absent and not voting, 28.

Those voting in the affirmative were:

Acheson	Haag	Sailer
Allen, Grand Forks	Halcrow	Sandness
Allen, Pierce	Halvorson	Saumur
Anderson	Haugland	Schimke
Arndt	Heckman	Schlafmann
Bagge	Hildre	Schmalenberger
Benno	Hofstrand	Schmidt, Logan
Bjella	Hogoboom	Schmidt, Morton
Blair	Hovey	Schnell
Boucher	Isaak	Seibel
Brady	Johnson, Richland	Sellens
Bubel	Klefstad	Sharpe
Burau	Langley	Shockman
Callahan	Larson	Skaar
Collette	Leet	Stair
Dalzell	Levin	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington

Engel	McInnes	Thompson, Griggs
Falconer	Moe	Thompson, Rich'nd
Fleck	Monson	Tuff
Frank	Mortenson	Wambheim
Fraser	Nystrom	Westby
Fuglestad	Ostgulen	Wolf, Morton
Gainor	Pyle	Wollitz
Graham	Rohrer	Yirchott
Grenier		

## Absent and not voting:

Baumgartner	Haugen	Ohnstad
Belzer	Hegge	Olson, Barnes
Bolmeier	Herk	Olson, Bowman
Boulden	Jennings	Schwartz
Bymers	Johnson, Cass	Severson
Crockett	Maher	Smart
Drawz	Moerke	Welk
Esterby	Mollet	Wolf, McIntosh
Fitch	Mork	Mr. Speaker
Forseth		

So the bill passed as amended and the title was agreed to.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 27.

Those voting in the affirmative were:

Acheson	Haag	Sandness
Allen, Grand Forks	Halcrow	Saumur
Allen, Pierce	Halvorson	Schimke
Anderson	Haugland	Schlafmann
Arndt	Heckman	Schmalenberger
Bagge	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schnell
Blair	Hovey	Schwartz
Boucher	Isaak	Seibel
Brady	Johnson, Richland	Sellens
Bubel	Klefstad	Sharpe
Bureau	Langley	Shockman
Callahan	Larson	Skaar
Collette	Leet	Stair
Dalzell	Levin	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Falconer	Moe	Thompson, Rich'nd
Fleck	Monson	Tuff
Frank	Mortenson	Wambheim
Fraser	Nystrom	Westby
Fuglestad	Ostgulen	Wolf, Morton
Gainor	Pyle	Wollitz



Graham	Rohrer	Yirchott
Grenier	Sailer	
Absent and not voting:		
Baumgartner	Forseth	Mork
Belzer	Haugen	Ohnstad
Bolmeier	Hegge	Olson, Barnes
Boulden	Herk	• Olson, Bowman
Bymers	Jennings	Severson
Crockett	Johnson, Cass	Smart
Drawz	Maher	Welk
Esterby	Moerke	• Wolf, McIntosh
Fitch	Mollet	Mr. Speaker

So the bill passed as amended and the title was agreed to.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 0; absent and not voting, 30.

Those voting in the affirmative were:

Acheson	Halcrow	Sandness
Allen, Grand Forks	Halvorson	Saumur
Allen, Pierce	Haugland	Schimke
Anderson	Heckman	Schlafmann
Arndt	Hildre	Schmalenberger
Bagge	Hofstrand	Schmidt, Logan
Benno	Hogoboom	Schmidt, Morton
Blair	Hovey	Schnell
Boucher	Isaak	Seibel
Brady	Johnson, Richland	Sellens
Bubel	Klefstad	Sharpe
Bureau	Langley	Shockman
Callahan	Larson	Skaar
Collette	Leet	Stair
Dalzell	Levin	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Falconer	Moe	Thompson, Richl'nd
Frank	Monson	Tuff
Fraser	Mortenson	Wambheim
Fuglestad	Nystrom	Westby
Gainor	Ostgulen	Wolf, Morton
Graham	Pyle	Wollitz
Grenier	Rohrer	Yirchott
Haag	Sailer	
Absent and not voting:		
Baumgartner	Fleck	Mork
Belzer	Forseth	Ohnstad
Bjella	Haugen	Olson, Barnes
Bolmeier	Hegge	Olson, Bowman
Boulden	Herk	Schwartz
Bymers	Jennings	Severson
Crockett	Johnson, Cass	Smart

Drawz	Maher	Welk
Esterby	Moerke	Wolf, McIntosh
Fitch	Mollet	Mr. Speaker

So the bill passed as amended and the title was agreed to.  
House Bill No. 10. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 0; absent and not voting, 34.

Those voting in the affirmative were:

Acheson	Halvorson	Sailer
Allen, Grand Forks	Haugland	Sandness
Allen, Pierce	Heckman	Saumur
Anderson	Hegge	Schimke
Arndt	Hofstrand	Schlafmann
Bagge	Hogoboom	Schmalenberger
Benno	Hovey	Schmidt, Logan
Blair	Isaak	Schmidt, Morton
Brady	Johnson, Richland	Schnell
Burau	Klefstad	Seibel
Callahan	Langley	Sellens
Collette	Larson	Sharpe
Dalzell	Leet	Shockman
Devlin	Levin	Skaar
Dittmer	Lillehaugen	Stanley
Drovdal	Lindberg	Sticka
Ekren	Luick	Still
Engel	Lysne	Stormon
Falconer	McInnes	Symington
Frank	Moe	Thompson, Griggs
Fraser	Monson	Thompson, Richl'nd
Fuglestad	Mortenson	Tuff
Gainor	Nystrom	Wambheim
Graham	Ostgulen	Wolf, Morton
Grenier	Pyle	Wollitz
Haag	Rohrer	Yirchott
Halcrow		

Absent and not voting:

Baumgartner	Fleck	Ohnstad
Belzer	Forseth	Olson, Barnes
Bjella	Haugen	Olson, Bowman
Bolmeier	Herk	Schwartz
Boucher	Hildre	Severson
Boulden	Jennings	Smart
Bubel	Johnson, Cass	Stair
Bymers	Maher	Welk
Crockett	Mork	Westby
Drawz	Moerke	Wolf, McIntosh
Esterby	Mollet	Mr. Speaker
Fitch		

So the bill passed as amended and the title was agreed to.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and

Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

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

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

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

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

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

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

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

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

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

#### GENERAL ORDERS

Rep. McInnes moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Mr. McInnes to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 16.

Line 4, strike out the figures "\$836,225.50" and insert in lieu thereof the figures "\$837,725.50".

Line 50, strike out the figures "1,500.00" and insert in lieu thereof the figures "3,000.00".

Line 54, strike out the figures "\$1,176,225.50" and insert in lieu thereof the figures "\$1,177,725.50".

And when so amended recommend the same do pass.

House Bill No. 17.

Line 2, strike out the figures "\$25,000.00" and insert in lieu thereof the figures "\$28,000.00".

Line 14, strike out the figures "22,900.00" and insert in lieu thereof the figures "25,900.00".

Line 31, strike out the figures "72,110.00" and insert in lieu thereof the figures "75,110.00".

Line 38, strike out the figures "\$78,060.00" and insert in lieu thereof the figures "\$81,060.00".

And when so amended recommend the same do pass.

House Bill No. 22.

Line 4, strike out the figures "\$471,505.00" and insert in lieu thereof the figures "\$471,605.00".

Line 49, strike out the figures "5,000.00" and insert in lieu thereof the figures "8,000.00".

Line 52, strike out in its entirety.

Line 53, strike out the words "Two Steel".

Line 63, strike out the figures "\$504,005.00" and insert in lieu thereof the figures "\$504,105.00".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. McINNES, Chairman  
Committee of the Whole.

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

#### FIRST READING OF HOUSE BILLS

Rep. Leet introduced:

House Bill No. 47. A Bill for an Act Legalizing the Operation of Certain School Districts and Fixing the Tax Levies Therein.

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

Rep. Johnson of Richland moved that the House recess until 1:30 o'clock p. m., Monday, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

NINETEENTH DAY AFTER RECESS  
AND TWENTY-FIRST DAY

Bismarck, January 22, 1945

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

RESOLUTIONS

North Dakota County Commissioners Association  
Mandan, North Dakota  
January 9-11, 1945

- No. 1. Five-mill levy, county road and bridge.
- No. 2. Gas tax refund system.
- No. 3. Employment of engineers.
- No. 4. Federal standards, county roads.
- No. 5. Commissioners' compensation.
- No. 6. Transfer of auto license and gas tax funds.
- No. 7. Taxable valuation.
- No. 8. Amending of budget law.
- No. 9. County Veterans' Officer Act levy.

RESOLUTIONS COMMITTEE

J. D. O'Keeffe.....	Bottineau
Boyd Renwick.....	Pembina
Nels O. Lindaas.....	Traill
Nicolai Eddie.....	Grand Forks
H. B. Paul.....	Richland
Lewis Odland.....	Golden Valley

RESOLUTION

WHEREAS many of our counties find that funds derived from their portion of gasoline tax and motor vehicle license monies are entirely inadequate to meet the requirements of a reasonable road construction and maintenance program, now therefore be it

RESOLVED, by the North Dakota County Commissioners Association that the North Dakota Legislature be requested to amend the present laws to the end that county commissioners may include in their regular annual levy a special levy of five mills for road and bridge purposes within the county, and be it further

RESOLVED that the present Legislature be asked to enact a law authorizing county commissioners to make a five-mill levy for road and bridge purposes in unorganized townships within the limits of their respective counties.

RESOLUTION

WHEREAS, the people of North Dakota have approved by

a tremendous vote the North Dakota Good Roads Bill at the November seventh election, and

WHEREAS, under Senate Bill 2105 vast sums of money are apportioned to North Dakota for road building purposes, including, during the first year alone \$2,412,000 for farm-to-market roads, and

WHEREAS, since 1939 with the adoption of the tax exempt law on gasoline in North Dakota road revenues have sharply dropped and tax exempt sales have now reached more than 60 per cent of all sales made in the state, and

WHEREAS, it is very important that money be available to match Federal funds while Federal funds are available, now therefore be it

RESOLVED, that we, the County Commissioners of the State of North Dakota, in convention assembled, earnestly request the Legislature of the State of North Dakota to pass such laws as are necessary to remedy this existing condition.

#### RESOLUTION

WHEREAS, the Federal Government is providing large sums of money for the purpose of road construction within the State of North Dakota on a matching basis, and

WHEREAS, it is important that such monies be judiciously expended to the end that the State of North Dakota may reap the largest possible benefits therefrom, now therefore be it

RESOLVED that the North Dakota County Commissioners Association urge upon the present Legislature to provide funds and other needed legislation for the employment of capable engineers and supervisors, to safeguard the interests of North Dakota in the expenditure of the funds made available for highway purposes.

#### RESOLUTION

WHEREAS, the present standards established by the Federal Bureau of Public Roads are of a character which make it impossible for counties within the state to avail themselves of Federal funds set aside for the purpose of constructing farm-to-market and feeder roads, and

WHEREAS, many counties of the state have large sums of money invested in modern road-building equipment and are now building roads sufficient to meet their requirements insofar as their funds will permit and under limitation of the contract system of construction of Federal assisted farm-to-market roads this investment could not be utilized, now therefore be it

RESOLVED that the North Dakota Legislature be requested to pass a concurrent resolution requesting Federal authorities to establish more liberal and lower engineering standards to make it possible for counties to participate in the expenditure of Federal funds heretofore made available under provisions of Senate Bill 2105.

#### RESOLUTION

WHEREAS, the North Dakota County Commissioners Association is firmly convinced that the present rate of compensation to county commissioners is wholly inadequate and limitations placed upon their activities in behalf of their respective counties are often such that the commissioners are

barred from rendering valuable services unless they elect to do so at their own expense, now therefore be it

RESOLVED that county commissioners be permitted to charge mileage for travel to and from the county seat in daily attendance of meetings. Be it further

RESOLVED that county commissioners be authorized to bill the county for actual expenses in attending meetings outside of the county which by resolution are declared to be to the best interests of their respective counties. Be it further

RESOLVED that the present Legislature be asked to enact adequate legislation.

#### RESOLUTION

WHEREAS, large sums of money have in times past been transferred from the auto license and gas tax funds and used for the payment of interest on Bank of North Dakota real estate bonds, and

WHEREAS, the Bank of North Dakota is now in a financial condition permitting the return of such funds, now therefore be it

RESOLVED that such funds be returned to the State Highway Department and the several counties on the basis of original equities in the same, and be it further

RESOLVED that the present Legislature be asked to authorize such transfers.

#### RESOLUTION

WHEREAS, the present law placing the taxable valuation at 50% of the assessed valuation of all property within the state of North Dakota is inadequate and unjust, now therefore be it

RESOLVED that the Association hereby recommend to the present Legislature that the taxable valuation be increased to 75% of the assessed valuation of all tangible property within the state of North Dakota.

#### RESOLUTION

WHEREAS, the members of the North Dakota County Commissioners Association deem it a part of wisdom to make plans and provisions covering the certain approach of a post-war condition, and

WHEREAS, under the present Budget Law it is impossible for counties to accumulate and set aside funds to cover activities during this post-war period, now therefore be it

RESOLVED that this matter be called to the attention of the Legislature and that such relief be granted as in its judgment may appear adequate.

#### RESOLUTION

WHEREAS, it is the firm belief of the members of this Association that the boards of county commissioners within the State of North Dakota are making an honest effort to comply and put into effect the letter and spirit expressed in Chapter 30 of the Special Session Laws of 1944, to the extent that prevailing conditions in their several counties permit, and

WHEREAS, the proper functioning of this law is limited in many counties by the lack of funds, now therefore be it

RESOLVED, that the North Dakota Legislature now in session at Bismarck be asked to provide legislation authorizing county commissioners to levy not to exceed one-half a mill on the taxable property within the county to defray the costs of the County Veterans' Service Officer Act.

Rep. Bagge moved that the Resolutions of North Dakota County Commissioners Association be printed in the Journal, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 25, have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures "\$244,825.00" and insert in lieu thereof the figures "\$259,825.00".

Line 21—Strike out the figures "\$45,000.00" and insert in lieu thereof the figures "\$60,000.00".

Line 22—Strike out the figures "\$244,825.00" and insert in lieu thereof the figures "\$259,825.00".

Line 26—After the words "provided for in" strike out the words and figures "Chapter 214, Session Laws of 1941." and insert in lieu thereof the words and figures "Sections 48-0601 to 48-0607, both inclusive, of North Dakota Revised Code of 1943." and number the lines accordingly.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

**HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT**

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

House Bill No. 16.

House Bill No. 17.

House Bill No. 22.

And find the same correctly Engrossed.

REP. LEET, Chairman.

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

Mr. Speaker: Your Committee on Employment places in nomination the name of Marlys Hogue of Bismarck, as stenographer and Gertrude Wertz of Coleharbor as engrosser.

REP. BLAIR, Chairman.

Rep. Blair moved the adoption of the report.

**ROLL CALL**

The question being on the report of the Committee on Employment, the roll was called and there were ayes, 99; nays, 3; absent and not voting 11.

Those voting in the affirmative were:

Acheson	Fuglestad	Nystrom
Allen, Grand Forks	Gainor	Ohnstad
Allen, Pierce	Grenier	Olson, Barnes
Anderson	Halcrow	Pyle



Arndt	Halvorson	Rohrer
Bagge	Haugland	Sailer
Baumgartner	Heckman	Sandness
Belzer	Hegge	Saumur
Benno	Herk	Schlafmann
Bjella	Hildre	Schmalenberger
Blair	Hofstrand	Schmidt, Morton
Boucher	Hogoboom	Schwartz
Brady	Hovey	Sellens
Bubel	Isaak	Severson
Bureau	Jennings	Sharpe
Bymers	Johnson, Cass	Shockman
Callahan	Johnson, Richland	Skaar
Collette	Klefstad	Stair
Crockett	Langley	Stanley
Dalzell	Leet	Still
Devlin	Levin	Stormon
Dittmer	Lillehaugen	Symington
Drawz	Lindberg	Thompson, Griggs
Drovdal	Luick	Thompson, Richl'nd
Ekren	Lysne	Tuff
Engel	McInnes	Wambheim
Esterby	Maher	Welk
Falconer	Moe	Westby
Fitch	Moerke	Wolf, McIntosh
Fleck	Mollet	Wolf, Morton
Forseth	Monson	Wollitz
Frank	Mork	Yirchott
Fraser	Mortenson	Mr. Speaker
Those voting in the negative were:		
Haag	Ostgulen	Schmidt, Logan
Absent and not voting:		
Bolmeier	Larson	Seibel
Boulden	Olson, Bowman	Smart
Graham	Schimke	Sticka
Haugen	Schnell	

So the employees were declared duly elected.

The Oath of Office was administered to Marlys Hogue and Gertrude Wertz by the Speaker.

#### FIRST READING OF HOUSE BILLS

Reps. Bubel and Maher introduced:

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers.

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

Rep. Fitch introduced:

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

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

Reps. Halvorson, Halcrow, and Bagge introduced:

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund,

After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

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

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

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

KENNETH L. MORGAN, Chief Clerk.

TWENTY-FIRST DAY

Bismarck, January 22, 1945

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

Prayer was offered by Rev. Robert A. Feehan.

Roll call: All members present except Reps. Olson of Bowman, Boulden, Bolmeier, Graham, Haugen, Larson, Schimke, Seibel and Sticka.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eighteenth Day After Recess and Nineteenth Day and finds the same to be correct.

REP. FUGLESTAD, Chairman.

Rep. Wolf of McIntosh moved that the report be amended on page 155 to show Rep. Welk absent and not voting on the roll call on House Bill No. 10, which motion prevailed.

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

SECOND READING OF HOUSE BILLS

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 7; absent and not voting, 12.

Those voting in the affirmative were:

Acheson	Haag	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Haugen	Ostgulen
Anderson	Haugland	Pyle
Arndt	Heckman	Rohrer
Bagge	Hegge	Sandness
Baumgartner	Herk	Saumur
Belzer	Hildre	Schlafmann
Benno	Hofstrand	Schmalenberger
Bjella	Hogoboom	Schmidt, Logan
Blair	Hovey	Schmidt, Morton
Boucher	Isaak	Schwartz

Brady	Jennings	Sellens
Bubel	Johnson, Cass	Sharpe
Burau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Leet	Stair
Dalzell	Levin	Still
Devlin	Lillehaugen	Stormon
Dittmer	Lindberg	Symington
Drawz	Luick	Thompson, Griggs
Drovdal	Lysne	Thompson, Richl'nd
Ekren	McInnes	Wambheim
Esterby	Maher	Welk
Falconer	Moe	Westby
Fitch	Moerke	Wolf, McIntosh
Fleck	Mollet	Wolf, Morton
Forseth	Mork	Wollitz
Fraser	Mortenson	Yirchott
Gainor	Nystrom	Mr. Speaker
Grenier		

Those voting in the negative were:

Crockett	Halvorsen	Stanley
Engel	Monson	Tuff
Frank		

Absent and not voting:

Bolmeier	Larson	Schnell
Boulden	Olson, Bowman	Seibel
Fuglestad	Sailer	Severson
Graham	Schimke	Sticka

So the bill passed as amended and the title was agreed to.

Rep. Collette moved that the vote by which House Bill No. 16 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Acheson	Gainor	Ohnstad
Allen, Grand Forks	Grenier	Olson, Barnes
Allen, Pierce	Haag	Ostgulen
Anderson	Halcrow	Pyle
Arndt	Haugen	Rohrer
Bagge	Haugland	Sandness
Baumgartner	Heckman	Saumur
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schwartz
Boucher	Hogoboom	Sellens
Brady	Hovey	Sharpe
Bubel	Jennings	Shockman
Burau	Johnson, Cass	Skaar

Bymers	Johnson, Richland	Smart
Callahan	Klefstad	Stair
Collette	Langley	Stanley
Dalzell	Leet	Still
Devlin	Lillehaugen	Stormon
Dittmer	Lindberg	Symington
Drawz	Luick	Thompson, Griggs
Drovdal	Lysne	Thompson, Richl'nd
Ekren	McInnes	Tuff
Engel	Maher	Wambheim
Esterby	Moe	Welk
Falconer	Moerke	Westby
Fitch	Mollet	Wolf, McIntosh
Fleck	Monson	Wolf, Morton
Forseth	Mork	Wollitz
Frank	Mortenson	Yirchott
Fraser	Nystrom	Mr. Speaker
Absent and not voting:		
Bolmeier	Isaak	Schlafmann
Boulden	Larson	Schnell
Crockett	Levin	Seibel
Fuglestad	Olson, Bowman	Severson
Graham	Sailer	Sticka
Halvorson	Schimke	

So the bill passed as amended and the title was agreed to.

MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 22, 1945

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

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

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Acheson	Fraser	Ohnstad
Allen, Grand Forks	Grenier	Olson, Barnes
Allen, Pierce	Haag	Ostgulen
Anderson	Halcrow	Pyle
Arndt	Haugen	Rohrer
Bagge	Haugland	Sandness
Baumgartner	Heckman	Saumur
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan

Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schwartz
Boucher	Hogboom	Sellens
Brady	Hovey	Sharpe
Bubel	Jennings	Skaar
Bureau	Johnson, Cass	Smart
Bymers	Johnson, Richland	Stair
Callahan	Klefstad	Stanley
Collette	Langley	Still
Crockett	Leet	Stormon
Dalzell	Lillehaugen	Symington
Devlin	Lindberg	Thompson, Griggs
Dittmer	Luick	Thompson, Richl'nd
Drawz	Lysne	Tuff
Drovdal	McInnes	Wambheim
Ekren	Maher	Welk
Engel	Moe	Westby
Esterby	Moerke	Wolf, McIntosh
Falconer	Mollet	Wolf, Morton
Fitch	Monson	Wollitz
Fleck	Mork	Yirchott
Forseth	Mortenson	Mr. Speaker
Frank	Nystrom	

## Absent and not voting:

Bolmeier	Isaak	Schlafmann
Boulden	Larson	Schnell
Fuglestad	Levin	Seibel
Gainor	Olson, Bowman	Severson
Graham	Sailer	Shockman
Halvorson	Schimke	Sticka

So the bill passed and the title was agreed to.

## MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 22, 1945

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4. A Concurrent Resolution Allowing Use of the Memorial Hall for Employees' Dances.

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

W. J. TROUT, Secretary.

Rep. Thompson of Richland moved that House Bill No. 22 be re-referred to the Committee on Appropriations, which motion was lost.

## SECOND READING OF HOUSE BILLS

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 8; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Gainor	Mortenson
Allen, Grand Forks	Grenier	Nystrom
Allen, Pierce	Haag	Ohnstad
Anderson	Halcrow	Olson, Barnes
Arndt	Haugen	Ostgulen
Bagge	Haugland	Pyle
Baumgartner	Heckman	Rohrer
Belzer	Hegge	Sandness
Benno	Herk	Saumur
Bjella	Hildre	Schmalenberger
Blair	Hofstrand	Schmidt, Morton
Boucher	Hogoboom	Schwartz
Brady	Hovey	Sellens
Bubel	Jennings	Severson
Bureau	Johnson, Cass	Sharpe
Bymers	Johnson, Richland	Shockman
Callahan	Klefstad	Skaar
Collette	Langley	Smart
Dalzell	Leet	Stair
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Ekren	McInnes	Wambheim
Esterby	Maher	Welk
Falconer	Moe	Westby
Fitch	Moerke	Wolf, Morton
Fleck	Mollet	Wollitz
Forseth	Monson	Yirchott
Fraser	Mork	Mr. Speaker

Those voting in the negative were:

Crockett	Schmidt, Logan	Tuff
Engel	Stanlev	Wolf, McIntosh
Frank	Thompson, Richl'nd	

Absent and not voting:

Bolmeier	Isaak	Schimke
Boulden	Larson	Schlafmann
Fuglestad	Levin	Schnell
Graham	Olson, Bowman	Seibel
Halvorson	Sailer	Sticka

So the bill passed as amended and the title was agreed to.

Rep. Allen of Grand Forks moved that the vote by which House Bill No. 22 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORT OF STANDING COMMITTEE HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 34.

And find the same correctly enrolled.

REP. LEET, 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. 34.

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

## FIRST READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4. A Concurrent Resolution Allowing Use of the Memorial Hall for Employees' Dances.

Was read the first time.

Rep. Fitch moved that Senate Concurrent Resolution No. 4 be adopted, which motion prevailed.

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

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

## GENERAL ORDERS

Rep. Fitch moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Fitch to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 14.

Line 2—Strike out the figures "\$317,500.00" and insert in lieu thereof the figures "\$367,300.00".

Lines 4 and 5—After the words "provided for in" strike out the words and figures "Sec. 22 and Sec. 23, Chapter 258, Session Laws of 1931," and insert in lieu thereof the words and figures "Section 4-09, North Dakota Revised Code of 1943,".

Line 8—Strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$12,000.00".

Line 9—Strike out the figures "24,000.00" and insert in lieu thereof the figures "28,800.00".

Line 10—Strike out the figures "20,000.00" and insert in lieu thereof the figures "22,000.00".

Line 11—Strike out the figures "10,600.00" and insert in lieu thereof the figures "12,500.00".

Line 12—Strike out the figures "100,000.00" and insert in lieu thereof the figures "120,000.00".

Line 13—Strike out the figures "9,900.00" and insert in lieu thereof the figures "8,000.00".

Line 14—Strike out the words "& Advertising" in their entirety and further amend by striking out the figures "17,000.00" and inserting in lieu thereof the figures "10,000.00".

Insert a new line as follows:

"14a Advertising and Research.....25,000.00"

Line 15—Strike out the figures "36,000.00" and insert in lieu thereof the figures "46,000.00".

Line 17—Strike out the figures "8,000.00" and insert in lieu thereof the figures "9,000.00".

Line 18—Strike out the figures "10,000.00" and insert in lieu thereof the figures "8,000.00"

Line 21—Strike out the figures "14,000.00" and insert in lieu thereof the figures "28,000.00".

Line 22—Strike out the figures "50,000.00" and insert in lieu thereof the figures "30,000.00".

Line 23—Strike out the figures "\$317,500.00" and insert in lieu thereof the figures "\$367,300.00".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

House Bill No. 15.

Line 4—Strike out the figures "\$346,395.97" and insert in lieu thereof the figures "\$347,195.97".

Insert a new line as follows:

"40a 5. Farm Machinery.....800.00"

Line 43—Strike out the figures "\$371,395.97" and insert in lieu thereof the figures "\$372,195.97".

On page one change the second line "5" to "5a."

And when so amended recommend the same do pass.

REP. FITCH, Chairman,  
Committee of the Whole.

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

#### FIRST READING OF HOUSE BILLS

Reps. Drovdal and Anderson introduced:

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the Sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, Through a Misinterpretation of Section 57-2826 of the North Dakota Revised Code of 1943; Declaring an Emergency.

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

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

KENNETH L. MORGAN, Chief Clerk



TWENTY-FIRST DAY AFTER RECESS  
AND TWENTY-SECOND DAY

Bismarck, January 23, 1945

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

Rep. Fitch moved that the Secretary of State be requested to loan to the United Press a copy of the 1943 Code, to be returned at the close of this legislative session, which motion prevailed.

PETITIONS AND COMMUNICATIONS

We, the undersigned citizens of McLean County of Turtle Lake, North Dakota, do not agree with Senator Milton Rue of Bismarck nor Senator Wm. A. Thatcher of Bottineau, North Dakota, to pass a bill to give the ex-governors' wives a \$1500.00 a year pension. Those people are usually the ones that can get along well without the pension.

Why not pass a pension law at \$40.00 a month for all the needy old people in the state; why just pick out a few here and there. We have the money on hand now from Sales Tax and other branches.

The Twenty-eighth Legislative Assembly promised us a pension law in 1945. This is the time for your Legislators to decide whether you should begin paying this at sixty or sixty-five year age limit.

So why go around the bush: LET'S HAVE IT!

The above petition was signed by 78 residents of McLean County.

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

To the Chairman of the Highways and Bridges Committee of the House and Senate of the State of North Dakota:

To the President of the Senate and the Speaker of the House of Representatives:

The following is a copy of Resolution No. 13, passed unanimously from the floor at the State Convention of the North Dakota County Commissioners Association, held at Mandan, North Dakota, on the 11th day of January, 1945.

WHEREAS, the wear and tear of strenuous wartime traffic is causing the highways to depreciate more rapidly than they are being reconstructed, because during the war highway construction has been at a minimum and maintenance has been reduced to bare needs because of manpower, material and equipment shortages, and

WHEREAS, not many new vehicles are licensed and the license fees on the older vehicles go down ten per cent each

year until a minimum of \$3.00 is reached, it is apparent that the highway income from registrations will be less each year until after the war, and

WHEREAS, no one knows how much longer the present war may last, it behooves us to conserve and protect our present highways to the end that they may continue to be adequate and usable for the duration, and

WHEREAS, increased weights of trucks and loads would only hasten the destruction of our highways, and

WHEREAS, increased lengths of trucks would greatly add to the hazards of meeting and passing them on the highways as well as adding to the inconvenience of other highway users on grades and hills, now

THEREFORE, BE IT RESOLVED, that to protect our present highways from being any more rapidly deteriorated than at present and to preserve the same relative safety on the highways, no additional weight or length limits be granted trucks above the limits agreed to by the Council of State Governments in 1943, for the duration of the war (40,000 lbs. gross weight, 18,000 lb. axle load and 45 feet in length) or allowed upon our highways for the duration of the present war and for six months thereafter, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Chairman of the Highways and Bridges Committees of both the House and the Senate, and also to the President of the Senate and the Speaker of the House, with instructions to have it read and placed in the Journals.

Respectfully submitted,

OLE O. SUNDBY,  
Legislative Representative of  
the North Dakota County  
Commissioners Association

Rep. Bagge moved that the Resolutions of the North Dakota County Commissioners be printed in the Journal, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 37, have had the same under consideration and recommend that the same be amended as follows:

Insert in the title: ". . . and declaring an Emergency."

And when so amended recommend the same do pass.

REP. OLSON of Barnes, Chairman.

Rep. Leet moved that House Bill No. 37 be further amended as follows:

In line 2 of the title after the word "the" and before the word "Revised" insert the words "North Dakota"; in line 3 of the title after "1943" change the period to a comma and add "and Declaring an Emergency."

In line 2 of the bill between the words "the" and "Revised" insert the words "North Dakota".

In line 12 between the words "the" and "Revised" insert the words "North Dakota".

And renumber the lines accordingly.

Which motion prevailed.

Rep. Wambheim moved that the report as amended be adopted and that House Bill No. 37 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 39, have had the same under consideration and recommend that the same be amended as follows:

In line 18 strike out the word "resolution" and insert the word "ordinance".

In line 34 strike out the word "fourteen" and insert the word "regular".

And when so amended recommend the same do pass.

REP. OLSON of Barnes, Chairman.

Rep. Leet moved to further amend House Bill No. 39 as follows:

At the beginning of line 2 of the title insert the words "North Dakota", which motion prevailed.

Rep. Olson of Barnes moved that the report as amended be adopted and that House Bill No. 39 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Employment to whom was referred Senate Concurrent Resolution No. 3, have had the same under consideration and recommend that the same be amended as follows:

Line 78, after the words Committee Clerk strike out the figures 4.50 and insert in lieu thereof the figures 5.00.

Line 80, after the words Committee Clerk strike out the figures 4.50 and insert in lieu thereof the figures 5.00.

Line 81, after the words Committee Clrk strike out the figures 4.50 and insert in lieu thereof the figures 5.00.

Line 83, after the words Committee Clerk strike out the figures 4.50 and insert in lieu thereof the figures 5.00.

And when so amended recommend the same do pass.

REP. BLAIR, Chairman.

Rep. Sailer moved that the rules be suspended and that the proposed amendments to Senate Concurrent Resolution No. 3 be adopted and that Senate Concurrent Resolution No. 3 be placed on second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Was read the second time.

## ROLL CALL

The question being on the final passage of the Resolution, as amended, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugen	Saumur

Arndt	Haugland	Schimke
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sellens
Bubel	Jennings	Severson
Burau	Klefstad	Sharpe
Bymers	Langley	Shockman
Callahan	Larson	Skaar
Collette	Leet	Smart
Dalzell	Levin	Stair
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Luick	Still
Drovdal	Lysne	Stormon
Ekren	Maher	Symington
Engel	Moe	Thompson, Griggs
Esterby	Moerké	Thompson, Richl'nd
Falconer	Mollet	Tuff
Fitch	Monson	Wambheim
Fleck	Mork	Welk
Forseth	Mortenson	Westby
Frank	Nystrom	Wolf, McIntosh
Fraser	Ohnstad	Wolf, Morton
Fuglestad	Olson, Barnes	Wollitz
Gainor	Ostgulen	Yirchott
Grenier	Pyle	Mr. Speaker
Absent and not voting:		
Benno	Graham	McInnes
Boulden	Johnson, Cass	Olson, Bowman
Crockett	Johnson, Richland	

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

Rep. Sailer moved that the vote by which Senate Concurrent Resolution No. 3 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Speaker administered the oath of office to A. N. Lindsay, bill room clerk.

Rep. Westby moved that the Speaker send a letter of condolence to the widow and family of the late Ben Gilbertson, former member of the Legislature, and that a voluntary contribution be made to send flowers to his funeral, which motion prevailed.

Rep. Bubel moved that the Speaker send a letter of condolence to the widow and family of the late R. H. Walker, former member of the House and that a voluntary contribution be made to send flowers to his funeral, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Ohnstad and Johnson of Richland introduced:

House Bill No. 52. A Bill for an Act Amending and Re-enacting Section 28-3208 of the North Dakota Revised Code of 1943, Relating to Prescribing Uniform Rules of Practice

for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

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

The House Appropriations Committee introduced:

House Bill No. 53. A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for the Purchase Price of Chairs for Legislative Committees; and Declaring an Emergency.

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

Reps. Ohnstad, Johnson of Richland and Saumur introduced:

House Bill No. 54. A Bill for an Act to Provide for the Discharge of Executors and Administrators of Estates in Which no Annual or Final Account Has Been Filed for Ten Years.

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

Rep. Brady introduced:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

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

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

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

KENNETH L. MORGAN, Chief Clerk.

#### TWENTY-SECOND DAY

Bismarck, January 23, 1945.

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

Prayer was offered by Rev. Cassidy.

Roll call: All members present except Reps. Olson of Bowman, Boulden, Benno, Crockett, and Graham.

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

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

On the 9th line from the bottom of page 163, correct the spelling of the word "introduced".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

MESSAGES TO THE SENATE

House Chamber  
Bismarck, January 23, 1945

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

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

House Bill No. 10. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Senate Concurrent Resolution No. 4. A Concurrent Resolution Allowing Use of the Memorial Hall for Employees' Dances.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, January 23, 1945

Mr. President: I have the honor to transmit:

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

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

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, January 23, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

#### GENERAL ORDERS

Rep. Levin moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Levin to the chair.

When the committee arose it submitted the following report:

The committee of the whole have had under consideration House Bill No. 25.

Line 3—Strike out the figures "\$244,825.00" and insert in lieu thereof the figures "\$259,825.00".

Line 21—Strike out the figures "\$45,000.00" and insert in lieu thereof the figures "\$60,000.00".

Line 22—Strike out the figures "\$244,825.00" and insert in lieu thereof the figures "\$259,825.00".

Line 26—After the words "provided for in" strike out the words and figures "Chapter 214, Session Laws of 1941." and insert in lieu thereof the words and figures "Sections 48-0601 to 48-0607, both inclusive, of North Dakota Revised Code of 1943." and number the lines accordingly.

And when so amended recommend the same do pass.

REP. LEVIN, Chairman,  
Committee of the Whole.

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

Rep. Johnson of Richland moved that the House recess until 1:15 o'clock p.m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

TWENTY-SECOND DAY AFTER RECESS  
AND TWENTY-THIRD DAY

Bismarck, January 24, 1945

The House reconvened at 1:15 o'clock p.m., pursuant to recess taken, Rep. McInnes, Acting Speaker, presiding.

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly Engrossed:

House Bill No. 14.  
House Bill No. 15.

REP. LEET, Chairman.

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

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly Engrossed:

House Bill No. 25.  
House Bill No. 37.  
House Bill No. 39.

REP. LEET, Chairman.

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

FIRST READING OF HOUSE BILLS

The House Appropriations Committee introduced:

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.

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

SECOND READING OF HOUSE BILLS

House Bill No. 14 was read the second time.

Rep. Johnson of Richland moved that the House defer action on House Bill No. 14 until the proper time after 2:00 o'clock, which motion prevailed.

House Bill No. 15 was read the second time.



Rep. Fitch moved that the House defer action on House Bill No. 15 until the proper time after 2:00 o'clock, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Johnson of Richland, Graham and Ohnstad introduced:

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 27-0602 of the North Dakota Revised Code of 1943 Providing for the Salary and Expenses of Court Reporters.

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

Rep. Johnson of Richland introduced:

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 46-0501 of the North Dakota Revised Code of 1943 as to Newspapers Qualified to do Legal Printing; File Copies with Historical Society; Publishing Notices in Adjoining County; Resumption of Suspended Publication.

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

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

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

KENNETH L. MORGAN, Chief Clerk.

#### TWENTY-THIRD DAY

Bismarck, January 24, 1945

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

Prayer was offered by Rev. E. Cassidy.

Roll call: All members present except Reps. Olson of Bowman, Boulden, Fleck and Mortenson.

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

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

On page 176, change House Bill No. 21 to read "House Bill No. 20" and change the title to correspond.

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 24, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water

Consumed by the Grafton State School, and Declaring an Emergency.

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.

#### PETITIONS AND COMMUNICATIONS

A letter was read from former Rep. P. K. Holm expressing his appreciation of the good wishes sent him by the House. Former Rep. Holm stated he is making satisfactory recovery and hopes to be around soon.

#### FIRST READING OF HOUSE BILLS

Reps. Dalzell, Hofstrand, Haugland and Schnell introduced:

House Bill No. 59. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registration and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

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

Reps. Klefstad and Olson of Barnes introduced:

House Bill No. 60. A Bill for an Act Relating to War Emergency Fund Levies in Villages and Repealing All Acts or Parts of Acts in Conflict Therewith.

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

Reps. Moe, Fitch, Sandness, Crockett and Levin introduced:

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

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

Reps. Fleck and Ohnstad (by request) introduced:

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04, of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of

1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

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

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

Rep. Johnson of Richland moved that the printing of House Bill No. 62 be deferred and that the Bill be not printed until the Committee to which it is referred decide it should be printed or mimeographed, which motion prevailed.

Rep. Johnson of Cass asked the unanimous consent of the House to amend House Bill No. 14, which consent was unanimously granted.

Rep. Johnson of Cass moved to amend House Bill No. 14 as follows:

In line 13 strike out the word "Prtg." and insert the word "Printing,"

In line 13 strike out the word "Furn." and insert the word "Furniture"

In line 18 strike out the word "Agric." and insert the word "Agriculture"

In line 18 strike out the word "Admin." and insert the word "Administration", which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and that House Bill No. 14 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Bjella	Herk	Schmidt, Logan
Blair	Hofstrand	Schmidt, Morton
Bolmeier	Hogoboom	Schnell
Boucher	Hovey	Schwartz
Brady	Isaak	Seibel

Bubel	Jennings	Sellens
Burau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Crockett	Larson	Smart
Dalzell	Leet	Stair
Devlin	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Rich <sup>l</sup> nd
Falconer	Moerke	Tuff
Fitch	Mollet	Wambheim
Fleck	Monson	Welk
Frank	Mork	Westby
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gainor	Ohnstad	Wollitz
Graham	Olson, Barnes	Yirchott
Grenier	Ostgulen	Mr. Speaker
Absent and not voting:		
Allen, Pierce	Forseth	Olson, Bowman
Benno	Hildre	Pyle
Boulden	McInnes	

So the bill passed as amended and the title was agreed to.

Rep. Johnson of Cass asked unanimous consent of the House to amend House Bill No. 15 by striking out certain abbreviations and inserting the words in full, which request was unanimously granted.

Rep. Johnson of Cass moved to amend House Bill No. 15 as follows:

In line 24 strike out the word "Serv." and insert the word "Service"

In line 34 strike out the word "Gym." and insert the word "Gymnasium"

In line 34 strike out the word "Bldg." and insert the word "Building"

In line 39 strike out the word "Equip." and insert the word "Equipment"

In line 40 strike out the word "Equip." and insert the word "Equipment"

Remember the lines where necessary, which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 15 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous

Expenses of the School for the Deaf at Devils Lake, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 109; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen-
Allen, Grand Forks	Halcrow	Pyle
Anderson	Halvorson	Rohrer
Arndt	Haugen	Sailer
Bagge	Haugland	Sandness
Baumgartner	Heckman	Saumur
Belzer	Hegge	Schimke
Benno	Herk	Schlafmann
Bjella	Hildre	Schmalenberger
Blair	Hofstrand	Schmidt, Logan
Bolmeier	Hogoboom	Schmidt, Morton
Boucher	Hovey	Schnell
Brady	Isaak	Schwartz
Bubel	Jennings	Seibel
Bureau	Johnson, Cass	Sellens
Bymers	Johnson, Richland	Severson
Callahan	Klefstad	Sharpe
Collette	Langley	Shockman
Crockett	Larson	Skaar
Dalzell	Leet	Smart
Devlin	Levin	Stair
Dittmer	Lillehaugen	Stanley
Drawz	Lindberg	Sticka
Drovdal	Luick	Still
Ekren	Lysne	Stormon
Engel	McInnes	Symington
Esterby	Maher	Thompson, Griggs
Falconer	Moe	Tuff
Fitch	Moerke	Wambheim
Fleck	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Graham	Olson, Barnes	Mr. Speaker
Grenier		

Those voting in the negative were:

Thompson, Richland

Absent and not voting:

Allen, Pierce                      Boulden                      Olson, Bowman

So the bill passed as amended and the title was agreed to.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, January 24, 1945

Mr. Speaker: I have the honor to inform you that the

Senate has concurred in the House amendments to Senate Concurrent Resolution No. 3.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, January 24, 1945

Mr. Speaker: I have the honor to transmit:

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

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Senate Bill No. 51. A Bill for an Act Amending and Re-enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

Senate Concurrent Resolution No. 2. A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Section 26-2519 of the North Dakota Revised Code of 1943, Relating to the Expense Fund; Credits To; Levies For Benevolent Societies.

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

W. J. TROUT, Secretary.

Rep. Sailer asked unanimous consent of the House to amend House Bill No. 25 by striking out certain abbreviations and inserting the words in full, which motion prevailed.

Rep. Sailer moved to amend House Bill No. 25 as follows: In line 14 after the word "supplies", strike out the word "Prtg." and insert in lieu thereof the word "Printing"; strike out the word "Furn." and insert in lieu thereof the word "Furniture"; and renumber the lines where necessary, which motion prevailed.

Rep. Graham moved to amend House Bill No. 25 by striking out Section 2, which motion was lost.

Rep. Graham demanded a division.

Rep. Johnson of Richland arose to a point of information, requesting the Speaker for his ruling as to whether such motion would require a simple majority or a two-thirds vote.

The Speaker ruled that a two-thirds vote would be required.

Rep. Graham then withdrew his request for a division.

Rep. Graham asked unanimous consent of the House to amend House Bill No. 25 by striking out section 2.

Rep. Bolmeier entered his objection.

Rep. Graham moved that House Bill No. 25 be placed in General Orders, which motion was seconded.

Rep. Johnson of Richland offered as a substitute motion that House Bill No. 25 be returned to the Committee on Appropriations, which motion was seconded.

## MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 24, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.

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

W. J. TROUT, Secretary.

The Speaker ruled that the motion to refer House Bill No. 25 to General Orders and the substitute motion to re-refer the same to the Committee, were out of order for the reason that the House had voted to place House Bill No. 25 on the Calendar and a motion to reconsider previous action would therefore be required.

Rep. Graham moved that the House reconsider action taken whereby House Bill No. 25 was placed on the Calendar for second reading and final passage, which motion was lost.

Rep. Graham demanded a division.

On a rising vote there were 50 voting for and 54 against so the motion was declared lost.

Rep. Sailer moved that the rules be suspended and House Bill No. 25 be considered properly re-engrossed and placed on second reading and final passage.

The Chair being in doubt a rising vote was taken which revealed 57 voting for and 47 against so the motion was declared lost. House Bill No. 25 was therefore continued on the Calendar.

Rep. Bubel asked the unanimous consent of the House to amend House Bill No. 37 by inserting hyphens in certain words, which request was granted.

Rep. Bubel moved to amend House Bill No. 37 as follows: Insert a "hyphen" in the word "re-enact" in the title and insert a "hyphen" in the word "re-enacted" in line 13 of the bill, which motion prevailed.

Rep. Bubel moved that the rules be suspended and House Bill No. 37 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 5; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugland	Saumur

Bagge	Heckman	Schimke
Baumgartner	Hegge	Schlafmann
Belzer	Herk	Schmalenberger
Benno	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Hovey	Schwartz
Boucher	Isaak	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Burau	Johnson, Richland	Shockman
Callahan	Klefstad	Skaar
Collette	Langley	Stair
Dalzell	Larson	Stanley
Devlin	Leet	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lvsne	Thompson, Griggs
Engel	McInnes	Thompson, Richl'nd
Esterby	Maher	Tuff
Falconer	Moerke	Welk
Fitch	Monson	Westby
Fleck	Mork	Wolf, McIntosh
Forseth	Mortenson	Wolf, Morton
Frank	Nystrom	Wollitz
Fraser	Ohnstad	Yirchott
Gainor	Ostgulen	Mr. Speaker
Graham		

Those voting in the negative were:

Crockett	Moe	Seibel
Levin	Mollet	

Absent and not voting:

Boulden	Haugen	Smart
Bymers	Olson, Barnes	Wambheim
Fuglestad	Olson, Bowman	

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

Rep. Fitch moved that the vote by which House Bill No. 37 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Richland moved that consideration of House Bill No. 39 be deferred one legislative day, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Fleck and Jennings introduced:

House Bill No. 63. A Bill for an Act Amending and Re-enacting Chapter 51 of the Laws of 1943, to Transfer the Sum of \$1200.00 from the Item of Postage, Supplies, Printing, Furniture and Fixtures to the Item of Salary, Fixing the Salary of the Registrar of Motor Vehicles from July 1, 1943, Until June 30, 1945, and Repealing Acts in Conflict, and Declaring an Emergency.

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

Reps. Dalzell, Hofstrand, Haugland and Schnell introduced: House Bill No. 64. A Bill for an Act Amending and Re-



enacting Section 19-1403 of the North Dakota Revised Code of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

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

Reps. Hogboom, Still, Fitch, Crockett and Bymers introduced:

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

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

#### HOUSE CONCURRENT RESOLUTION "D".

Reps. Haugen, Schwartz, Moe and Skaar introduced:

1 WHEREAS, the present standards established by  
 2 the Federal Bureau of Public Roads are of a  
 3 character which make it impossible for counties  
 4 within the state to avail themselves of Federal  
 5 funds set aside for the purpose of constructing  
 6 Farm-to-market and feeder roads, and  
 7 WHEREAS, many counties of the state have  
 8 large sums of money invested in modern road-  
 9 building equipment and are now building roads  
 10 sufficient to meet their requirements insofar as  
 11 their funds will permit and under limitation of  
 12 the contract system of construction of Federal  
 13 assisted farm-to-market roads this investment  
 14 could not be utilized.  
 15 NOW, THEREFORE, BE IT RESOLVED by the House  
 16 of Representatives of the State of North Dakota,  
 17 the Senate concurring, that the Commissioner of  
 18 Public Roads of the Federal Government be urged  
 19 to establish more liberal, and lower and less  
 20 exacting engineering standards so as to make it  
 21 possible for counties in this state to participate  
 22 in the grant of Federal funds heretofore made  
 23 available under the provisions of U. S. Senate  
 24 Bill 2105, and  
 25 BE IT FURTHER RESOLVED, that a copy of this  
 26 resolution be sent to the Federal Commissioner  
 27 of Public Roads, and that a copy be sent to the  
 28 North Dakota Representatives and Senators in the  
 29 United States Congress.

Rep. Haugen moved that House Concurrent Resolution "D" be printed in the Journal, which motion prevailed.

Rep. Haugen moved that the House do now adopt House Concurrent Resolution "D", which motion prevailed and the Resolution was adopted.

#### HOUSE CONCURRENT RESOLUTION "E"

Reps. Haag, Schmidt of Logan and Wolf of McIntosh introduced:

House Concurrent Resolution "E." A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile, Tractor, and Truck Tires for the Farming Industry.

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

#### FIRST READING OF SENATE BILLS

Senate Concurrent Resolution No. 2. A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

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

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

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

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

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

Senate Bill No. 51. A Bill for an Act Amending and Re-enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

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

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Section 26-2519 of the North Dakota Revised Code of 1943, Relating to the Expense Fund; Credits To; Levies For Benevolent Societies.

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

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.

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

#### REPORT OF STANDING COMMITTEE

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

Lines 7, 8 and 9—After the words "as provided by" strike out the words and figures "Chapter 243 of the Session Laws of 1941 and Chapter 210 of the Session Laws of 1937, as amended," and insert in lieu thereof the words and figures "Sections 50-0901 to 50-0924, both inclusive, of North Dakota Revised Code of 1943 and Sections 50-0801 to 50-0830, both inclusive, of North Dakota Revised Code of 1943,".

Lines 11 and 12—Strike out the words and figures "Chapter 221 of the Session Laws of 1935 and Chapter 242 of the

Session Laws of 1941" and insert in lieu thereof the words and figures "Sections 50-0601 to 50-0614, both inclusive, of North Dakota Revised Code of 1943 and Sections 50-1001 to 50-1009, both inclusive, of North Dakota Revised Code of 1943".

Lines 20 and 21—After the words "as provided by" strike out the words and figures "Chapter 243 of the Session Laws of 1941," and insert in lieu thereof the words and figures "Sections 50-0901 to 50-0924, both inclusive, of North Dakota Revised Code of 1943."

Lines 25 and 26—After the words "as provided by" strike out the words and figures "Chapter 210 of the Session Laws of 1937, as amended." and insert in lieu thereof the words and figures "Sections 50-0801 to 50-0830, both inclusive, of North Dakota Revised Code of 1943."

Lines 30 and 31—After the words "as provided by" strike out the words and figures "Chapter 221 of the Session Laws of 1935." and insert in lieu thereof the words and figures "Sections 50-0601 to 50-0614, both inclusive, of North Dakota Revised Code of 1943."

Lines 36 and 37—Strike out the words and figures "Chapter 221 of the Session Laws of 1935 and Chapter 242 of the Session Laws of 1941." and insert in lieu thereof the words and figures "Sections 50-0601 to 50-0614, both inclusive, of North Dakota Revised Code of 1943 and Sections 50-1001 to 50-1009, both inclusive, of North Dakota Revised Code of 1943."

And further amend by renumbering the lines.

Line 51—Strike out the word "Mtce." and insert in lieu thereof the word "Maintenance" and strike out the word "Equip." and insert in lieu thereof the word "Equipment".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Johnson of Richland moved that the rules be suspended and that House Bill No. 28 be amended as recommended by the Committee Report, which motion prevailed and the amendments were declared adopted and House Bill No. 28 placed on the Calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 27, have had the same under consideration and recommend that the same be amended as follows:

Lines 11 and 12—After the words "provisions of" strike out the words and figures "Chapter 221 of the Session Laws of 1935." and insert in lieu thereof the words and figures "Sections 50-0601 to 50-0614, both inclusive, of North Dakota Revised Code of 1943." and further amend by renumbering the lines.

Line 43—Strike out the word "Mtce." and insert in lieu thereof the word "Maintenance" and strike out the word "Equip." and insert in lieu thereof the word "Equipment".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Johnson of Richland moved that the rules be suspended and that House Bill No. 27 be amended as recom-

mended by the Committee Report, which motion prevailed and the amendments were declared adopted and House Bill No. 27 placed on the Calendar.

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 be amended as follows:

Line 4—Strike out the figures "\$3,000,000.00" and insert in lieu thereof the figures "\$3,250,000.00".

Line 7—After the words "provided by" strike out the words and figures "Chapter 211 of the Session Laws of 1937." and insert in lieu thereof the words and figures "Sections 50-0701 to 50-0740, both inclusive, of North Dakota Revised Code of 1943." and further amend by renumbering the lines.

Line 8—Strike out the figures "\$3,000,00.00" and insert in lieu thereof the figures "\$3,250,000.00".

Line 20—Strike out the word "Mtce." and insert in lieu thereof the word "Maintenance" and strike out the word "Equip." and insert in lieu thereof the word "Equipment".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Lillehaugen moved that the rules be suspended and that House Bill No. 29 be amended as recommended by the committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 29 placed on the Calendar.

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

Line 14—Strike out the word "Ass't" and insert in lieu thereof the word "Assistant".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Haugen moved that the rules be suspended and that House Bill No. 23 be amended as recommended by the committee report, which motion prevailed and the amendment was declared adopted and House Bill No. 23 placed on the Calendar.

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

KENNETH L. MORGAN, Chief Clerk.

TWENTY-THIRD DAY AFTER RECESS  
AND TWENTY-FOURTH DAY

Bismarck, January 25, 1945

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

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

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

House Bill No. 23.

House Bill No. 27.

House Bill No. 28.

House Bill No. 29.

And find the same correctly Engrossed.

REP. LEET, Chairman.

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

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

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

House Bill No. 14.

House Bill No. 15.

House Bill No. 25.

And find the same correctly Re-engrossed.

REP. LEET, Chairman.

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

FIRST READING OF HOUSE CONCURRENT  
RESOLUTION

The Committee on School and Public Lands introduced:

HOUSE CONCURRENT RESOLUTION "F"

- 1 The Twenty-ninth Legislative Assembly has become
- 2 cognizant of the fact that there is, and has been for
- 3 some time past, considerable discussion and agitation
- 4 for the enactment of a law preventing the sale of any
- 5 agricultural land owned by the State of North Dakota
- 6 or its political subdivisions until the termination
- 7 and conclusion of World War II. This has been ex-
- 8 pressed by a desire of many people to save all avail-
- 9 able public lands for purchase by the returning ser-
- 10 vice men and women of North Dakota, and to foster for

11 them the possibility of creating for themselves and  
 12 their dependents suitable farm units as a basis for  
 13 their livelihood and those dependent upon them.

14 It has further come to the attention of the  
 15 Twenty-ninth Legislative Assembly that much of the  
 16 most desirable land has already been sold, and the  
 17 lands now available for sale to returning veterans of  
 18 World War II are isolated tracts, rough land, much of  
 19 it not suitable to agriculture in any form, except  
 20 perhaps for grazing, and in many cases there are no  
 21 farm lands now available which will, or can, con-  
 22 stitute a farm unit upon which, and through which,  
 23 a returning veteran who desires to engage in farming  
 24 could reasonably be expected to procure a livelihood  
 25 for himself and his dependents.

26 That the Twenty-ninth Legislative Assembly,  
 27 after due consideration of the situation with refer-  
 28 ence to the public lands now owned by the State of  
 29 North Dakota, either under the supervision of the  
 30 School Land Department, the Bank of North Dakota,  
 31 and the various counties of the State of North  
 32 Dakota, has determined that it is most desirable to  
 33 urge all state and county officials charged with the  
 34 disposition and sale of public lands to use their  
 35 best judgment in the disposition of the same, so as  
 36 to save the land suitable for farming units, for re-  
 37 turning service men and women of World War II.

38 That due consideration should be given to the  
 39 requests of parents and relatives of service men  
 40 and women.

41 That other land should be disposed of and  
 42 placed on the tax list, but in no case should such  
 43 land be sold to speculators.

44 NOW, THEREFORE, BE IT RESOLVED By the  
 44a Twenty-

45 ninth Legislative Assembly that from and after the  
 46 first day of July, 1945, the date on which the re-  
 47 strictions imposed by Chapter 1 of the Session Laws  
 48 of the Special Session of 1944 expires, that all  
 49 those charged with the sale of public land in the  
 50 State of North Dakota refrain from the sale of only  
 51 such tracts that are suitable for a farming unit un-  
 52 til after the termination of the war and until the  
 53 service men and women have had a chance to purchase  
 54 the same if they so desire.

55 BE IT FURTHER RESOLVED, that the Secretary of  
 56 State be directed to forward a copy of this resolu-  
 57 tion to the Bank of North Dakota, the Board of  
 58 University and School Lands, and to the chairman of  
 59 the Board of County Commissioners of each county in  
 60 the State.

Was read the first time.

Rep. Mollet moved that the House do now adopt House  
 Concurrent Resolution "F," which motion prevailed and the  
 Resolution was adopted.

Rep. Leet moved that House Concurrent Resolution "F"  
 be printed in the Journal, which motion prevailed.

Rep. Bymers moved that House Concurrent Resolution "E"

be returned from the Committee on Agriculture and that the same be printed in the Journal, which motion prevailed.

### HOUSE CONCURRENT RESOLUTION "E"

Introduced by Reps. Haag, Schmidt of Logan  
and Wolf of McIntosh

A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile Tractor, and Truck Tires for the Farming Industry.

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

1 WHEREAS, due to the present war emergency and the  
2 large demand of our armed forces for tires, a great  
3 shortage of automobile, tractor, and truck tires is  
4 apparent in the farming industry; and

5 WHEREAS, it has particularly been called to the  
6 attention of the Twenty-ninth Legislative Assembly  
7 that the farming industry is in dire need of auto-  
8 mobile, tractor, and truck tires of a quality ade-  
9 quate for the conduct of the industry, which involves  
10 travel over long distances and heavy hauling of farm  
11 produce; and

12 WHEREAS, because of the great distances to be  
13 traveled in the State of North Dakota from farm to  
14 market where there is no other mode of travel than by  
15 automobile, tractor, and truck, it is absolutely  
16 necessary and essential that Congress and the President  
17 take immediate steps to enact legislation giving to  
18 the farming industry an increased quantity of grade  
19 one tires;

20 NOW, THEREFORE, BE IT RESOLVED, by the  
20a House of

21 Representatives, the Senate concurring, that the Con-  
22 gress of the United States and the President take  
23 steps forthwith to insure to the farming industry  
24 of the State of North Dakota an adequate and increased  
25 quantity of quality tires to permit full production  
26 of food for victory; and

27 BE IT FURTHER RESOLVED, that copies of this  
28 Resolution be sent to the President of the United  
29 States, to the president of the Senate and speaker  
30 of the House of Congress for incorporation in the  
31 Congressional Record, to the senators and representatives  
32 of this State.

Rep. Fitch moved that the Chief Clerk be instructed to confer with the Board of Administration or any others who may be in charge, to see that this House Chamber be kept at a proper temperature.

Rep. Crockett moved to amend the motion of Rep. Fitch to include that water be kept in the spittoons, which motion prevailed.

The question was on the motion of Rep. Fitch as amended, which motion prevailed.

Rep. Sailer moved that a voluntary contribution be made

by the members of the House to the "March of Dimes" and that the Speaker forward the same to National Headquarters, which motion prevailed and the pages were instructed to make such collection.

#### 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. 33.

House Bill No. 34.

Were delivered to the Governor for his approval at the hour of 1:40 p. m., January 25, 1945.

REP. LEET, Chairman.

Speaker Bergesen: Rep. Graham as Republican National Committeeman for the State of North Dakota has just returned from a meeting of the Committee in Indianapolis. While there he took occasion to call upon the Legislature which was then in Session and I believe spoke to both Houses. I think he may have something to tell us that would be of considerable interest and without any formal motion from the House, I will ask Rep. Graham to come to the rostrum and give us whatever he may think would be of interest to the group.

Rep. Graham: Mr. Speaker and Members of the House, it is indeed a pleasure to be called up here to say a few words to you today. I had the same opportunity in the House and Senate down in Indiana on Monday of this week. I might take a few minutes to tell you how I happened to go down.

I announced to you on Saturday that I was going down to attend the Republican National Committee meeting. However, I was late in reaching there and I did not arrive until rather late Sunday night so I missed a couple luncheons which were held.

On Monday morning the Governor of the State of Indiana, all of the State Officials and the House and Senate members gave a breakfast for the members of the Republican National Committee. That lasted for something like two hours and after that we continued with the meeting of the Committee.

After listening to the Committee for quite a while, I came to the conclusion that there was just as much discussion among the members of the Republican Committee as there is among the members of the Coalition and the Nonpartisans here in Bismarck.

However, we came to the conclusion that we would try and work along with the Republican Party and Mr. Brownell was retained as Chairman and he together with the Executive Committee, were authorized to work out a program for the ensuing two and four years. They expect to ask that the House and Senate members use every effort in trying to do something to help the people of the United States and of the whole world.



During the breakfast referred to, I happened to meet the Speaker of the House and he invited me over to attend the meeting of the House. When I came over there they introduced me from the platform and asked me to say a few words to them.

Upon looking over the House there, it is very different from here—the floor of the House is on the level and in the form of a rectangle. They have loudspeakers at each desk much the same as we have and their two floor leaders sit down in front and when they address the House they get up and turn around and face the House the same as I am facing you now. There were seven lady members of the House and four or five Negro members.

I feel pretty proud of our capitol here in North Dakota so I told them something about it and they were much interested. I did say to them that they had a top-heavy membership in the House so far as the Democrats were concerned. There were seven Democrats—I told them up here there were only four. I told them that I thought they perhaps were too top heavy and that it would be better if there were a working majority so that each side had to be on their mettle all the time. I did not tell them about our coalition, etc., or matters along that line. I thought it just as well not to.

After that they took me over to the Senate Chamber and introduced me there and I spoke for a few minutes. Their method of working is somewhat different. I noticed there the Speaker and Presiding Officer sign for the bills as they are brought from one House to the other instead of having the Bill Clerk sign for them as we do here. Their Senate Chamber was the same as the House. Before I was introduced, the Lieutenant Governor asked me about the capitol here so in introducing me he got up and said that I was going to advise them to build a new capitol and to build it the same as North Dakota so I had to go ahead and tell them about our capitol and how well we like it and that there is one in Nebraska and in Louisiana similar to ours and when they got to the place where they desired to build a new capitol, I suggested that they come out and look ours over.

I think that in a brief way covers what was done down there. It was a very enjoyable trip and I enjoyed it very much being given an opportunity to say a few words to the House and Senate of Indiana.

Several spoke to me about different things and one of those was, they were going to introduce a Resolution to ask the Senate to provide for a Constitutional amendment so that no President could serve more than two consecutive terms and wondered if we were going to do that up here. I told them I did not know but I thought maybe people would be in favor of it here.

I believe that covers everything I have to say and I wish to thank you for this opportunity.

Rep. Buraou moved that the remarks of Rep. Graham be printed in the Journal, which motion prevailed.

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

Rep. Halcrow moved that the Chief Clerk be excused from

his duties in the House during the time it will be necessary to take care of certain duties at home, which motion prevailed.

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

VIC L. GILBREATH,  
Assistant Chief Clerk.

#### TWENTY-FOURTH DAY

Bismarck, January 25, 1945

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

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

Roll call: All members present except Reps. Olson of Bowman, Boulden and Forseth.

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 Twenty-second Day After Recess and the Twenty-third Day and recommends that the same be corrected as follows:

In line 31 on page 182 change the word "engrossed" to "re-engrossed" and make the same correction in line 7 from the bottom of page 183.

In line 8 from the bottom of page 184 correct the word "Richland".

In line 5 from the bottom of page 185 correct the word "placed".

In line 4 from the bottom of page 188 strike out the words "First Reading" and add the letter "E" following the word "Resolution".

In line 19 from the bottom of page 190 strike out the period and insert the word "and".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 25, 1945

Mr. President: I have the honor to transmit:

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

House Concurrent Resolution "D."

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

VIC L. GILBREATH,  
Assistant Chief Clerk.

Rep. Johnson of Richland moved that House Bill No. 39 be re-referred to the Committee on Cities and Municipal Corporations, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Haugland, Hovey, Smart, Benno and Mortenson introduced:

House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural College at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

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

Rep. Sharpe moved that House Bill No. 61 be returned to the House and re-referred to the Committee on Insurance, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugen	Saumur
Arndt	Haugland	Schimke
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogoboom	Schwartz
Bolmeier	Hovey	Seibel
Boucher	Isaak	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Bureau	Klefstad	Shockman
Bymers	Langley	Skaar
Callahan	Larson	Smart
Collette	Leet	Stair
Crockett	Levin	Stanley
Dalzell	Lillehaugen	Sticka
Devlin	Lindberg	Still
Dittmer	Luick	Stormon
Drawz	Lysne	Symington
Drovdal	McInnes	Thompson, Griggs
Ekren	Maher	Thompson, Richl'nd
Engel	Moe	Tuff
Esterby	Moerke	Wambheim
Falconer	Mollet	Welk

Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Olson, Barnes	Yirchott
Graham	Ostgulen	Mr. Speaker
Grenier	Pyle	

Absent and not voting:

Boulden	Fraser	Ohnstad
Fitch	Johnson, Richland	Olson, Bowman

So the bill passed as amended and the title was agreed to.

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 109; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Halvorsen	Sailer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schimke
Baumgartner	Hegge	Schlafmann
Belzer	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Logan
Blair	Hofstrand	Schmidt, Morton
Bolmeier	Hogoboom	Schnell
Boucher	Hovey	Schwartz
Brady	Isaak	Seibel
Bubel	Jennings	Sellens
Bureau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Crockett	Larson	Smart
Dalzell	Leet	Stair
Devlin	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Thompson, Richland
Falconer	Moe	Tuff
Fitch	Moerke	Wambheim
Fleck	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Olson, Barnes	Yirchott
Graham	Ostgulen	Mr. Speaker
Grenier		

Absent and not voting:

Benno	Ohnstad	Olson, Bowman
Boulden		

So the bill passed as amended and the title was agreed to.  
Rep. Graham moved that further consideration of House Bills No. 27, 28 and 29 be deferred one legislative day, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 25, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 40, have had the same under consideration and recommend that the same be amended as follows:

On line 3 of the title after the word "coyote" insert a comma and after the comma the word "bobcat". On line number 5 after the word "coyotes" insert a comma and after the comma the word "bobcats". On line 8 after the word "coyotes" insert a comma and after the comma insert the word "bobcats". On line 8 after the word "coyote" insert a comma and after the comma insert the word "bobcat". On line 10 strike out the word "or" and insert a comma after the word "wolf" and at the end of the line insert "or mature bobcat". In line 14 strike out the word "or" and insert a comma after the word "wolf" and after the word "pup" insert "or bobcat kitten". On line 20 after the word "coyotes" insert a comma and after the comma insert the word "bobcats". On line 21 strike out everything after the word "by" down to line 25 and insert in lieu thereof "hunters and trappers paid by state or federal funds."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

REP. SCHNELL, Chairman.

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

Rep. Sellens moved that House Bill No. 40 be referred to the Committee of the Whole, which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

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

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

VIC L. GILBREATH,  
Assistant Chief Clerk.

**TWENTY-FOURTH DAY AFTER RECESS  
AND TWENTY-FIFTH DAY**

Bismarck, January 26, 1945

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

Rep. Fitch moved that the courtesies of the floor be extended to Mrs. A. R. Bergesen and Miss Karen Bergesen of Fargo and that a committee divided between urban Cass County and rural Cass County be appointed to escort them to the rostrum, which motion prevailed.

The Speaker appointed Reps. Fitch, Johnson of Cass, Brady and Yirchott to escort Miss Karen Bergesen to the rostrum and Reps. Bolmeier, Dittmer, Pyle and Ohnstad to escort Mrs. Bergesen to the rostrum.

Mrs. Bergesen and Miss Karen Bergesen were escorted to the rostrum.

Rep. Fitch reported that the committee appointed to escort the Bergesen family to the rostrum had completed its duty and wished to be discharged, which motion prevailed and the committee was discharged.

**FIRST READING OF HOUSE BILLS**

Reps. Smart and Saumur introduced:

House Bill No. 67. A Bill for an Act Providing for Non-liability of Municipalities for Damages Caused by Defective Sidewalks or Cross-walks or by Frost, Loose Snow, Ice or Water on Sidewalks or Cross-walks, with Certain Exceptions; and Repealing all Acts in Conflict Herewith.

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

Reps. Yirchott and Olson of Barnes introduced:

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; and Repealing all Acts or Parts of Acts in Conflict Herewith.

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

Reps. Klefstad and Brady introduced:

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for

Loss or Damage Arising from the Operation of any Motor Vehicle.

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

Reps. Hovey, Wambheim and Olson of Barnes introduced:

House Bill No. 70. A Bill for an Act Relating to the Duration of Authority for Excess Tax Levies in Counties, Cities, Villages or Townships.

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

Rep. Maher Introduced:

House Bill No. 71. A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

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

Reps. Baumgartner and Welk introduced:

House Bill No. 72. A Bill for an Act to Amend and Re-enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Pre-payments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands.

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

Reps. Schimke, Larson and Mortenson introduced:

House Bill No. 73. A Bill for an Act Authorizing the Hunting, Taking and Possession of Game Birds by Persons in the Armed Services of the United States; Providing Possession, Limit, and Declaring an Emergency.

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

Reps. Larson, Schimke and Crockett introduced:

House Bill No. 74. A Bill for an Act Providing for Refunds Upon Retail Beer Licenses; Establishing Procedure for Refund; and Declaring an Emergency.

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

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

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

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

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

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

VIC L. GILBREATH, Asst. Chief Clerk.

## TWENTY-FIFTH DAY

Bismarck, January 26, 1945

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

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

Roll call: All members present except Reps. Olson of Bowman, Boulden, Bjella, Burau, Hegge, Johnson of Richland, Luick and Mortenson.

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

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

In line 31, page 197, insert the word "insert" between the words "and the".

In line 4, page 195, correct the spelling of the word "spittoons".

And when so corrected recommends that the same be approved.

REP. HALCROW, Acting Chairman.

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

## REPORTS OF STANDING COMMITTEE

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

Line 2—Strike out in its entirety.

Line 3—Strike out the words "to be used as a payment on new buildings,".

Line 7—Strike out the figures "\$726,657.00" and insert in lieu thereof the figures "\$401,657.00".

Line 26—Strike out the word "Elec." and insert in lieu thereof the word "Electrical".

Line 38—Strike out the word "Mtce." and insert in lieu thereof the word "Maintenance".

Lines 43-44-45—Strike out in their entirety.

Line 58—Strike out the figures "895,857.00" and insert in lieu thereof the figures "420,857.00".

Line 66—Strike out the word "Serv." and insert in lieu thereof the word "Service" and strike out the word "Spec." and insert in lieu thereof the word "Special".

Line 72—Strike out the figures "\$994,657.00" and insert in lieu thereof the figures "\$519,657.00".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom



was referred House Bill No. 30, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 36, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 42, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

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

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 26, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "F."

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

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

VIC L. GILBREATH,  
Assistant Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 26, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

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

W. J. TROUT, Secretary.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Insurance to whom was referred House Concurrent Resolution "B.", have had the same under consideration and recommend that the same be returned to the House without recommendation.

REP. ALLEN of Grand Forks, Chairman.

Rep. Graham moved that House Concurrent Resolution "B" be indefinitely postponed, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Levin, Halvorson, Maher and Saumur introduced:

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

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

Reps. Levin, Halvorson, Maher and Saumur introduced:

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

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

#### SECOND READING OF HOUSE BILLS

Rep. Graham moved that the House have under consideration at this time House Bill No. 29, which motion prevailed.

Rep. Graham moved that House Bill No. 29 be placed in General Orders for further amendments.

On a voice vote the Chair was in doubt.

Rep. Graham requested a roll call, which request was granted.

#### ROLL CALL

The question being on the motion of Rep. Graham, the roll was called and there were ayes, 58; nays, 48; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Halvorson	Sandness
Anderson	Haugen	Schimke
Baumgartner	Haugland	Schlafmann
Belzer	Heckman	Schmalenberger
Bubel	Hegge	Schmidt, Logan
Bymers	Hofstrand	Schmidt, Morton
Crockett	Isaak	Schnell
Devlin	Jennings	Schwartz
Dittmer	Larson	Seibel ♦
Drovdal	Levin	Shockman
Engel	Lillehaugen	Stair
Esterby	Lindberg	Sticka
Falconer	Maher	Still
Forseth	Moerke	Thompson, Richl'nd
Frank	Mollet	Tuff
Fraser	Monson	Welk
Graham	Mork	Wolf, McIntosh
Grenier	Ohnstad	Wolf, Morton
Haag	Rohrer	

Those voting in the negative were:

Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Herk	Saumur
Arndt	Hildre	Sellens
Bagge	Gainor	Severson

Benno	Hogoboom	Sharpe
Blair	Hovey	Skaar
Bolmeier ,	Johnson, Cass	Smart
Boucher	Johnson, Richland	Stanley
Brady	Klefstad	Stormon
Callahan	Langley	Symington
Collette	Leet	Thompson, Griggs
Dalzell	Lysne	Wambheim
Drawz	McInnes	Westby
Ekren	Moe	Wollitz
Fitch	Nystrom	Yirchott
Fleck	Olson, Barnes	Mr. Speaker
Fuglestad	Pyle	
Absent and not voting:		
Bjella	Luick	Olson, Bowman
Boulden	Mortenson	Ostgulen
Burau		

So the motion prevailed and House Bill No. 29 was placed in General Orders.

Rep. Graham moved that House Bill No. 29 be placed in General Orders on Tuesday of next week, which motion prevailed.

Rep. Johnson of Cass moved that action on House Bills Nos. 27 and 28 be deferred until after 2:00 o'clock on Tuesday of next week, which motion prevailed.

#### FIRST READING OF HOUSE BILL

Reps. Fitch and Johnson of Richland introduced:

House Bill No. 78. A Bill for an Act to Provide for the Creation of a North Dakota School Survey Commission, Defining the Powers and Duties, Making an Appropriation Therefor, and Declaring an Emergency.

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

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

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

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

#### GENERAL ORDERS

Rep. Smart moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Smart to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

**House Bill No. 40.**

On line 3 of the title after the word "coyote" insert a comma and after the comma the word "bobcat". On line number 5 after the word "coyotes" insert a comma and after the comma the word "bobcats". On line 8 after the word "coyotes" insert a comma and after the comma insert the word "bobcats". On line 8 after the word "coyote" insert a comma and after the comma insert the word "bobcat". On line 10 strike out the word "or" and insert a comma after the word "wolf" and at the end of the line insert "or mature bobcat". In line 14 strike out the word "or" and insert a comma after the word "wolf" and after the word "pup" insert "or bobcat kitten". On line 20 after the word "coyotes" insert a comma and after the comma insert the word "bobcats". On line 21 strike out everything after the word "by" down to line 25 and insert in lieu thereof "hunters and trappers paid by state or federal funds."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

**REP. SMART, Chairman,**  
Committee of the Whole.

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

Rep. Sailer, chairman of the Committee on Drainage and Irrigation, requested an extension of time on House Concurrent Resolution "C", which request was granted.

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

**VIC L. GILBREATH,**  
Assistant Chief Clerk.

TWENTY-FIFTH DAY AFTER RECESS  
AND TWENTY-SIXTH DAY

Bismarck, January 27, 1945

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

PETITIONS AND COMMUNICATIONS

The following was read:

RESOLUTION

North Dakota County Commissioners Association  
Mandan, North Dakota  
January 9-11, 1945

(Inadvertently omitted from recent mailing)

WHEREAS laws now in force relating to the uniform system of accounting for counties provide that such uniform system shall be installed on or before July 1st, 1945.

AND WHEREAS owing to conditions incident to the present war make it impossible for counties to secure the necessary equipment, printing and clerical help to make extensive changes in county accounting procedure and methods.

NOW THEREFORE be it resolved that it is the wish of the County Commissioners Association and the Conference of the County Auditors that the effective date of the uniform accounting laws be extended for a period of two years after the termination of the war.

Rep. Levin moved that the Resolution from the North Dakota County Commissioners Association be printed in the Journal, which motion prevailed.

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

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

House Bill No. 40.

And find the same correctly Engrossed.

REP. LEET, Chairman.

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

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 41, have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title after the word "Commission" strike out the "period" and insert in lieu thereof a "comma" and add the following words "and declaring an emergency."

In line two of the original bill after the word "Who" strike out the words "on account of his official position has taken up his residence" and insert in lieu thereof the word "resides".

In line twelve of the original bill after the word "after" and before the word "Section" insert the following language "the increase in salary provided for in"; also renumber the lines if and where necessary.

And when so amended recommend the same be referred to the Committee on Appropriations.

REP. BOLMEIER, Chairman.

Rep. Bolmeier moved that the rules be suspended and that the amendments to House Bill No. 41 as recommended by the Standing Committee Report be adopted, which motion prevailed.

Rep. Bolmeier moved that House Bill No. 41 be referred to the Committee on Appropriations, which motion prevailed.

Rep. Blair moved that the Speaker appoint a committee of three to attend the funeral of Representative Boulden who passed away this morning, which motion prevailed.

The Speaker appointed Rep. Blair, Saumur and Allen of Grand Forks to attend the funeral of the late Representative Boulden and also to take care of any arrangements in regard to anything that should be done by the House out of respect to Rep. Boulden.

Rep. Falconer moved that a voluntary contribution be taken by the Pages from the members of the House for the purpose of sending a suitable floral offering to the funeral of our late member, Rep. Boulden, which motion prevailed.

The Speaker reported that the collection for the "March of Dimes" amounted to \$18.61 and that the Assistant Chief Clerk had obtained a draft from the State Treasurer's office and it will be mailed directly to the President of the United States from the House of Representatives of North Dakota.

Rep. Bolmeier moved that the report on the "March of Dimes" be printed in the Journal, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Forseth, Esterby, Bymers, Sandness and Haugen introduced:

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-enacting Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of

Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0608, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Banks and Banking.

Rep. Stair (by request) introduced:

House Bill No. 80. A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

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

Reps. Callahan, Wambheim, Drovdal and Halcrow introduced:

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

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

Reps. Callahan, Wambheim, Drovdal and Halcrow introduced:

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

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

The Committee on State Affairs introduced:

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefor.

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

The Committee on Ways and Means introduced:

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Creating an Emergency.

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

Reps. McInnes and Sailer introduced:

House Bill No. 85. A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both

Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

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

Reps. Graham, Schnell, Sticka and Haugen introduced:

House Bill No. 86. A Bill for an Act Making an Appropriation of \$900,000.00 to the State Hail Insurance Department from the General Fund to Reimburse the State Hail Insurance Department for Money Diverted to the State Equalization Fund.

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

Reps. Moe, Lillehaugen and Haugen introduced:

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

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

Rep. McInnes requested that the Committee on Tax and Tax Laws be given an extension of time for the consideration of House Bill No. 38, which request was granted.

Rep. Hogoboom requested that the Committee on Election and Election Privileges be given an extension of time for the consideration of House Bill No. 43, which request was granted.

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

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

VIC L. GILBREATH,  
Assistant Chief Clerk.

## TWENTY-SIXTH DAY

Bismarck, January 27, 1945

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

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

Roll call: The roll was called up to the name of Rep. Boulden, at which time Rep. Allen of Grand Forks arose and stated:

"Grand Forks County has just lost a Representative who dared do all that may become a man. I think it both fitting and proper that we show our respect and esteem for him; so, if it is in order, I now move that this House arise and stand a moment in silent prayer at this time and that the name of Rep. Boulden be stricken from the roll."

Which motion unanimously prevailed and the House arose for a moment of silent prayer.

The roll call was resumed and all members were present except Reps. Olson of Bowman, Baumgartner, Bjella, Brady, Bubel, Burau, Crockett, Ekren, Fitch, Fleck, Forseth, Fraser, Fuglestad, Jennings, Johnson of Cass, Larson, Luick, Maher, Monson, Ohnstad, Olson of Barnes, Ostgulen, Pyle, Sandness, Schimke, Schmalenberger, Seibel, Sharpe, Shockman, Thompson of Griggs and Westby.



## MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 27, 1945

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4. A Concurrent Resolution Allowing Use of the Memorial Hall for Employees' Dances.

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

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

W. J. TROUT, Secretary.

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

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

In the roll call on page 205 transfer the names of "Arndt" and "Bagge" from the affirmative to the negative.

Show the Message to the Senate on page 204 as signed by Vic L. Gilbreath, Assistant Chief Clerk.

And when so corrected recommends that the same be approved.

REP. HALCROW, Acting Chairman.

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

Rep. Saumur moved that in memory of our departed member, Rep. Boulden, the House do now recess until 1:30 o'clock p. m., Monday, which motion prevailed and the House stood recessed.

VIC L. GILBREATH,  
Assistant Chief Clerk.

TWENTY-SIXTH DAY AFTER RECESS  
AND TWENTY-EIGHTH DAY

Bismarck, January 29, 1945

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

## 'SIGNING OF BILLS

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

Senate Concurrent Resolution No. 3.

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

Rep. Fitch moved that House Bill No. 29 now on General Orders and House Bills Nos. 27 and 28 now on the Calendar be re-referred to the Committee on Appropriations, which motion prevailed.

Rep. Halcrow: At the Memorial Service for our Brother and fellow member, K. L. Boulden, conducted at the Perry Funeral Home in Bismarck Sunday afternoon, January 28th, our Speaker, Mr. Bergesen gave such an appropriate and inspiring message that I would at this time like to move that his message be printed in the Journal of the House, which motion prevailed.

Speaker Bergesen:

“Keith Ledbetter Boulden was born at Montford, Wisconsin, on October 18, 1879. He passed from this life at Bismarck, North Dakota, on January 27, 1945. He was in his sixty-sixth year.

He was educated in the public schools of Montford, Wisconsin, and was graduated from Montford High School.

As a young man he moved with his parents and family to Walnut Grove in Redwood Falls County, Minnesota. There on November 26, 1902 he married Miss Fannie Swoffer. They immediately moved to Grand Forks County, North Dakota. For approximately twenty years they lived in Logan Center Township and then moved to Moraine Township, in the same county.

To this union were born three children—a son, Alfred, now farming on the home farm near Larimore and two daughters, Mrs. Peter W. Peterson of Larimore and Mrs. Herbert Welte of New Briton, Connecticut. His wife and children and ten grandchildren all survive him. He also leaves one sister, Miss May Boulden of Portland, Oregon, and two brothers—Francis Boulden of Portland, Oregon, and Raymond Boulden of Seattle, Washington.

He was a member of the Methodist Church and of the Masonic Lodge of Larimore.

Mr. Boulden's interest in civic affairs is indicated by the fact that for many years he was a member of both the school board and the township board in Logan Center and of the township board of Moraine Township.

In 1939 he came to the North Dakota State Legislature as a member of the House of Representatives. He served in the sessions of 1939, 1941, 1943, the special session of 1944 and now in 1945.

There is a life beyond. There is a Supreme Being. Questions as to a life hereafter and the existence of a Creator naturally arise on occasions such as this.

Dr. Raymond Fosdick in a little book "The Meaning of Prayer" has given what to me seems a most convincing argument for the affirmative on these two questions. He calls our attention to the fact that one may go anywhere on this earth and he will find that all people, regardless of the degree of civilization, crave communion with a Supreme Being and existence in a life hereafter. One can trace back through history to the beginning of time and the same condition has always existed. All men in all ages and in all climes have always had this instinct in common. A new born babe craves for oxygen to keep the spark of life aglow. There is air and oxygen to meet that need. It thirsts and there is fluid to satisfy its thirst. It hungers and there is food to satisfy its hunger and sustain its body.

Dr. Fosdick then asks the question, 'Can it be that for every craving and every instinct common to mankind there is an answer, except that for his craving for communion with a Supreme Being and for existence in life hereafter there is no answer?' The question answers itself. There is a life beyond. There is a Supreme Being.

Life on earth is but a preparation for the greater life to come. Our abilities to be useful and to enjoy the life hereafter depend upon the qualities which we develop within ourselves in our life here on earth. Those of us who were privileged to know Keith Boulden—in the legislature and in all walks of life—learned to love him. He brought to us and to all his undertakings marvelous qualities.

Keith Boulden had a wealth of practical experience. He knew the problems of the home and of the local community. He knew the problems of the state and the problems of the people. Toward the solution of these problems, he brought earnestness and sincerity of purpose and devotion to duty. He was honest and fair in his dealings with all persons. That was recognized by every member of the legislature regardless of political faction.

Added to these qualities he brought the refinement of a cultured gentleman, a gentle, tolerant point of view, a keen sensitive mind, and a fine Christian character. He has left his imprint in the sands of time. His example and his influence will remain for years, not only in his home and his home community but also in the legislative halls of our State.

It was his good fortune and ours that he was permitted in a large degree to fulfill his mission here on earth. He

enters now into the larger field with a preparation and a foundation that comparatively few of us attain. In this transition it is he who has gained—the loss is ours. Yet in a sense we too can count our gain in that he lived among us and we knew him.

To his wife, who was his life's companion; to his children and grandchildren, who knew him as a loving parent; to his sister and his brothers, who knew him from childhood—to them our hearts go out in deepest sympathy. We know that the happy memories of their associations with him will be cherished in their hearts and will help to sustain them in this hour of trial and in the years to come.

We who served with him in the legislature of this state have lost a friend and a brother. His going is an admonition and a challenge. It is a call to us to serve with the same devotion, the same sincerity and honesty of purpose as did he. Let us not forget that when the ability of man faileth, there is an inexhaustible supply of strength and wisdom in the power of prayer—that tie which binds us together as a family of kindred spirits and in turn unites us all with God. Let us pray."

Prayer by Rev. N. E. Elsworth.

#### SIGNING OF BILLS

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

Senate Concurrent Resolution No. 4.

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

#### PETITIONS AND COMMUNICATIONS

Two additional petitions similar to the one printed in the Journal of January 23rd from McLean County citizens were received. One was signed by 49 residents in the Washburn vicinity and the other by 45 residents of the Mercer vicinity both protesting the passage of the proposed bill providing for a pension for ex-governors' wives.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 41.

And find the same correctly Engrossed.

REP. LEET, 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 Tax and Tax Laws to whom was referred House Bill No. 55, have had the same under consideration and recommend that the same be amended as follows:

In line 16 of the bill strike out the word "repurchase" and insert the word "purchase" in lieu thereof.

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. McInnes moved that the rules be suspended and the amendments recommended by the Standing Committee be adopted and House Bill No. 55 be placed on the Calendar, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 46, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Wolf of McIntosh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 38, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Fitch moved that the report of the committee on House Bill No. 38 be laid over for two legislative days, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 53, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

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

#### FIRST READING OF HOUSE BILLS

Rep. Sellens introduced:

House Bill No. 88. A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged to Secure Loans of State School Funds and Conveyed to the State by the Mortgagors or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

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

Reps. Dalzell, Hofstrand, Haugland and Schnell introduced:

House Bill No. 89. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Economic Poisons and Providing for the Registration and Labeling Thereof and Repealing Chapter 19, Section 1208 of the North Dakota Revised Code of 1943.

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

The Committee on Public Health (by request) introduced:

House Bill No. 90. A Bill for an Act Providing That No Person, Partnership, Association or Corporation, Nor Any State, County, or Local Governmental Units, Nor Any Division, Department, Board or Agency Thereof, Shall Establish, Conduct or Maintain in the State of North Dakota, Any Hospital, Sanatorium or Other Related Institution for the Hospitalization and/or the Care of the Sick or Injured Without First Obtaining a License Therefor; Providing a Penalty for Violation.

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

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

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

KENNETH L. MORGAN, Chief Clerk.

#### TWENTY-EIGHTH DAY

Bismarck, January 29, 1945

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

Prayer was offered by Rev. Claude Pearson.

Roll call: All members present except Reps. Olson of Bowman, Allen of Grand Forks, Belzer, Blair, Bureau, Crockett, Forseth, Fraser, Haag, Isaak, Larson, Levin, Ostgulen, Saumur, Schimke, Schmalenberger, Schnell, Seibel, Shockman, Stair and Sticka.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-fifth Day After Recess and the Twenty-sixth Day and finds the same to be correct.

REP. HALCROW, Acting Chairman.

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

#### MESSAGE FROM THE GOVERNOR

State of North Dakota

#### OFFICE OF THE GOVERNOR

Bismarck, January 26, 1945

To the House of Representatives of the State of North Dakota:

This is to notify you that I have approved the following House Bills:

House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

And the same has been filed with the Secretary of State today.

FRED G. AANDAHL,  
Governor of North Dakota.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 84, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

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

#### SECOND READING OF HOUSE BILLS

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the

North Dakota Twine and Cordage Plant at the State Penitentiary.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 0; absent and not voting, 23.

Those voting in the affirmative were:

Acheson	Grenier	Olson, Barnes
Allen, Pierce	Halcrow	Pyle
Anderson	Haugen	Rohrer
Arndt	Haugland	Sailer
Bagge	Heckman	Sandness
Baumgartner	Hegge	Schlafmann
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Bymers	Johnson, Richland	Skaar
Callahan	Klefstad	Smart
Collette	Langley	Stanley
Dalzell	Leet	Still
Devlin	Lillehaugen	Stormon
Dittmer	Lindberg	Symington
Drawz	Luick	Thompson, Griggs
Drovdal	Lysne	Thompson, Rich'nd
Ekren	McInnes	Tuff
Engel	Maher	Wambheim
Esterby	Moe	Welk
Falconer	Moerke	Westby
Fitch	Mollet	Wolf, McIntosh
Fleck	Monson	Wolf, Morton
Frank	Mork	Wollitz
Fuglestad	Mortenson	Yirchott
Gainor	Nystrom	Mr. Speaker
Graham	Ohnstad	

Absent and not voting:

Allen, Grand Forks	Halvorson	Schimke
Belzer	Hofstrand	Schmalenberger
Blair	Isaak	Schnell
Bureau	Larson	Seibel
Crockett	Levin	Shockman
Forseth	Olson, Bowman	Stair
Fraser	Ostgulen	Sticka
Haag	Saumur	

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 29, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102,

of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

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

W. J. TROUT, Secretary.

#### SECOND READING OF HOUSE BILLS

House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State Officials of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 0; absent and not voting, 24.

Those voting in the affirmative were:

Allen, Pierce  
Anderson

Halcrow  
Haugen

Olson, Barnes  
Pyle



Arndt	Haugland	Rohrer
Bagge	Heckman	Sailer
Baumgartner	Hegge	Sandness
Benno	Herk	Schlafmann
Bjella	Hildre	Schmidt, Logan
Bolmeier	Hogoboom	Schmidt, Morton
Boucher	Hovey	Schwartz
Brady	Jennings	Sellens
Bubel	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Skaar
Collette	Langley	Smart
Dalzell	Leet	Stanley
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Ekren	McInnes	Thompson, Richl'nd
Engel	Maher	Tuff
Esterby	Moe	Wambheim
Falconer	Moerke	Welk
Fitch	Mollet	Westby
Fleck	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fuglestad	Mortenson	Wollitz
Gainor	Nystrom	Yirchott
Graham	Ohnstad	Mr. Speaker
Grenier		

## Absent and not voting:

Acheson	Haag	Saumur
Allen, Grand Forks	Halvorson	Schimke
Belzer	Hofstrand	Schmalenberger
Blair	Isaak	Schnell
Burau	Larson	Seibel
Crockett	Levin	Shockman
Forseth	Olson, Bowman	Stair
Fraser	Ostgulen	Sticka

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

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

Was read the second time.

Rep. Wolf of McIntosh moved that action on House Bill No. 40 be deferred until after 2:00 o'clock p. m., Wednesday, which motion prevailed.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 0; absent and not voting, 25.

Those voting in the affirmative were:

Allen, Pierce	Grenier	Ohnstad
Anderson	Haugen	Pyle
Arndt	Haugland	Rohrer
Bagge	Heckman	Sailer
Baumgartner	Hegge	Sandness
Benno	Herk	Schlafmann
Bjella	Hildre	Schmidt, Logan
Bolmeier	Hofstrand	Schmidt, Morton
Boucher	Hogoboom	Schwartz
Brady	Hovey	Sellens
Bubel	Jennings	Severson
Bymers	Johnson, Cass	Sharpe
Callahan	Johnson, Richland	Skaar
Collette	Klefstad	Smart
Dalzell	Langley	Stanley
Devlin	Leet	Still
Dittmer	Lillehaugen	Stormon
Drawz	Lindberg	Symington
Drovdal	Luick	Thompson, Griggs
Ekren	Lysne	Thompson, Richl'nd
Engel	McInnes	Tuff
Esterby	Maher	Wambheim
Falconer	Moe	Welk
Fitch	Moerke	Westby
Fleck	Mollet	Wolf, McIntosh
Frank	Monson	Wolf, Morton
Fuglestad	Mork	Wollitz
Gainor	Mortenson	Yirchott
Graham	Nystrom	Mr. Speaker
Absent and not voting:		
Acheson	Halcrow	Saumur
Allen, Grand Forks	Halvorson	Schimke
Belzer	Isaak	Schmalenberger
Blair	Larson	Schnell
Burau	Levin	Seibel
Crockett	Olson, Barnes	Shockman
Forseth	Olson, Bowman	Stair
Fraser	Ostgulen	Sticka
Haag		

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

Rep. Collette moved that the vote by which House Bill No. 42 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Wolf of McIntosh moved that the House do now adopt House Concurrent Resolution "E," which motion prevailed and the Resolution was adopted.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943

Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

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

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

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

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

Rep. Leet moved that Senate Bill No. 65 be returned to the Senate so that it may be properly engrossed, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 29, 1945

Mr. President: I have the honor to return:

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

With the request that it be engrossed.

KENNETH L. MORGAN, Chief Clerk.

## GENERAL ORDERS

Rep. Haugen moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Haugen to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration House Bill No. 21.

Line 2—Strike out in its entirety.

Line 3—Strike out the words "to be used as a payment on new buildings,".

Line 7—Strike out the figures "\$726,657.00" and insert in lieu thereof the figures "\$401,657.00".

Line 26—Strike out the word "Elec." and insert in lieu thereof the word "Electrical".

Line 38—Strike out the word "Mtce." and insert in lieu thereof the word "Maintenance".

Lines 43-44-45—Strike out in their entirety.

Line 58—Strike out the figures "895,857.00" and insert in lieu thereof the figures "420,857.00".

Line 66—Strike out the word "Serv." and insert in lieu thereof the word "Service" and strike out the word "Spec." and insert in lieu thereof the word "Special".

Line 72—Strike out the figures "\$994,657.00" and insert in lieu thereof the figures "\$519,657.00".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. HAUGEN, Chairman,  
Committee of the Whole.

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

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

KENNETH L. MORGAN, Chief Clerk.

TWENTY-EIGHTH DAY AFTER RECESS  
AND TWENTY-NINTH DAY

Bismarck, January 30, 1945

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

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 30, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Senate Concurrent Resolution No. 4. A Concurrent Resolution Allowing Use of the Memorial Hall for Employees' Dances.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 24, have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures "\$34,500.00" and insert in lieu thereof the figures "\$20,000.00".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 39, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill delete the period after 1943 and insert a comma and the words: relating to War Emergency Fund; Cities.

In the body of the bill after Section 1, in line 1, insert the following language: AMENDMENT. Section 57-1529 of the North Dakota Revised Code of 1943, is hereby amended and re-enacted to read as follows: Section 57-1529, capitalize WAR EMERGENCY FUND; CITIES, and continue with the body of the bill unchanged and re-number the lines.

And when so amended recommend the same do pass.

REP. OLSON of Barnes, Chairman.

Rep. Fitch moved that the report of the Standing Committee be amended by inserting the word "in" between the "," and the word "line" which motion prevailed and the report was amended.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 45, have had the same under consideration and recommend that the same do pass.

REP. OLSON of Barnes, Chairman.

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

Mr. Speaker: Your Committee on Education, to whom was referred House Bill No. 47, have had the same under consideration and recommend that the same do pass.

REP. LANGLEY, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations, to whom was referred House Bill No. 49, have had the same under consideration and recommend that the same be amended as follows:

In line 1 strike out the word "an" and insert the word "any".

And when so amended recommend the same do pass.

REP. OLSON of Barnes, Chairman.

Rep. Fitch moved that the rules be suspended and the amendment recommended by the Standing Committee Report be adopted, which motion prevailed.

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

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred House Bill No. 50, have had the same under consideration and recommend that the same do pass.

REP. SAILER, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 56, have had the same under consideration and recommend that the same be amended as follows:

Line 7—After the words "affairs at the" strike out the words "Fort Yates" and insert in lieu thereof the words "Standing Rock".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Johnson of Cass moved that the rules be suspended and that the amendments recommended by the Standing Committee Report be adopted, which motion prevailed.

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

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 66, have had the same under consideration and recommend that the same do pass.

REP. BYMERS, Chairman.

Rep. Hovey moved that House Bill No. 66 be re-referred to the Committee on Appropriations, which motion prevailed.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Concurrent Resolution "A", have had the same under consideration and recommend that the same do pass.

REP. BYMERS, Chairman.

Rep. Haugen moved that House Concurrent Resolution "A" be adopted, which motion prevailed and House Concurrent Resolution "A" was adopted.

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

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

KENNETH L. MORGAN, Chief Clerk.

#### TWENTY-NINTH DAY

Bismarck, January 30, 1945

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

Prayer was offered by Rev. Claude Pearson.

Roll call: All members present except Reps. Olson of Bowman, Allen of Grand Forks, Blair, Larson, Saumur and Schimke.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 30, 1945

Mr. President: I have the honor to transmit:

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State Officials of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

House Concurrent Resolution "E." A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile, Tractor, and Truck Tires for the Farming Industry.

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

KENNETH L. MORGAN, Chief Clerk.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-sixth Day After Recess and Twenty-eighth Day and finds the same to be correct.

REP. FUGLESTAD, Chairman.

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

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

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

House Bill No. 21.

House Bill No. 55.

And find the same correctly Engrossed.

REP. LEET, Chairman.

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

REPORT OF SELECT COMMITTEE

Rep. Hovey: Your committee on photographs for the House cannot find a photographer who is willing to undertake the entire job. Two of them have agreed to submit a proposition. If it is agreeable to the House, we can adopt it.

The Engelhardt Studio of Bismarck will take the pictures that have not been previously taken. There are 34 new members and some will probably want their pictures retaken. He would charge \$3.50 for each new picture.

On page 78 of the House Journal is the report of Rep. Fleck for the picture of the 1943 session. The Studio which is doing the work in Mandan will take care of the rest of the work as shown in the Journal. He has the prints of the preceding picture which were formerly in the possession of the Butler Studio and he will make whatever prints are necessary for 75 cents each.

New Photos .....	(each)	\$ 3.50
Prints from old negatives .....	(each)	.75
Printing and Composition .....		10.00
Frame and Backboard .....		15.00
Labor and Help .....		100.00
112—11x14 copies @ \$1.50 .....		168.00

Rep. Hovey moved that we accept the proposition of the two studios and proceed to have our pictures taken before it gets too late to have the work done and that it be charged to legislative expense, which motion prevailed.

ROLL CALL

The question being on the report of the Committee on Photography, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Pierce	Halcrow	Pyle
Anderson	Halvorson	Rohrer
Arndt	Haugen	Sailer



Bagge	Haugland	Sandness
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Bolmeier	Hofstrand	Schnell
Boucher	Hogoboom	Schwartz
Brady	Hovey	Seibel
Bubel	Isaak	Sellens
Burau	Jennings	Severson
Bymers	Johnson, Cass	Sharpe
Callahan	Johnson, Richland	Shockman
Collette	Klefstad	Skaar
Crockett	Langley	Smart
Dalzell	Leet	Stair
Devlin	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Thompson, Richl'nd
Falconer	Moe	Tuff
Fitch	Moerke	Wambheim
Fleck	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Graham	Olson, Barnes	Mr. Speaker
Grenier		

Absent and not voting:

Allen, Grand Forks	Larson	Saumur
Blair	Olson, Bowman	Schimke

So the report was adopted and the expense was authorized.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 30, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Senate Bill No. 39. 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 Sections

26-2401 to 26-2421, Inclusive, of the North Dakota Revised Code of 1943, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

#### FIRST READING OF HOUSE BILLS

Reps. Dalzell, Hofstrand, Haugland and Schnell introduced:

House Bill No. 91. A Bill for an Act to Amend and Reenact Subsection 2 of Section 19-1011 of the North Dakota Revised Code of 1943, Relating to the Coloring of Tractor Fuel and Declaring an Emergency.

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

Reps. Dalzell, Hofstrand, Haugland and Schnell introduced:

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

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

Rep. Stormon introduced:

House Bill No. 93. A Bill Providing for an Act To Amend and Reenact Section 30-1817 of the Revised Code of North Dakota of 1943; Providing That All Letters Testamentary and of Administration Shall Become Void After Six Years; Providing for the Accounting of the Executor or Administrator and the Delivery of the Property of the Estate to His Successor; Providing for the Public Administrator to Close Estates That Have Been in Probate Longer Than Six Years.

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

Reps. Olson of Barnes, Sharpe and Bureau introduced:

House Bill No. 94. A Bill for an Act Amending and Reenacting Section 40-4501 of the North Dakota Revised Code of 1943 Relating to Police Pensions in Cities.

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

Reps. Sailer, Rohrer and Skaar introduced:

House Bill No. 95. A Bill for an Act Amending and Reenacting Section 11-1512 of the North Dakota Revised Code of 1943, Fixing the Amount of Mileage Which May Be Charged by a Sheriff or His Deputies in the Performance of Official Duties.

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

Reps. Westby, Jennings and Haag introduced:

House Bill No. 96. A Bill for an Act to Amend and Reenact Section 33-0209 of the North Dakota Revised Code of 1943 Relating to Service of Summons in an Action in Justice Court.

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

Reps. Westby, Jennings and Haag introduced:

House Bill No. 97. A Bill for an Act Amending and Re-enacting Sections 28-0619 and 28-0628 of the North Dakota Revised Code of 1943 Relating to the Service of Summons and Proof of Service Thereof; and Repealing Section 28-0629 and All Acts and Parts of Acts in Conflict Herewith.

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

Reps. Symington and Hofstrand introduced:

House Bill No. 98. A Bill for an Act Assessing and Levying from July 1, 1945, to July 1, 1947, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them; Appropriating the Proceeds of Such Special Tax for Use in Construction, Reconstruction and Maintenance of Rural Highways; Making All the Provisions of Chapter 57-41 of the North Dakota Revised Code of 1943, and Amendments Thereto, and Known as the "Motor Fuel Tax Law", Other Than the Distribution of the Proceeds and Other Than the Cost of Administration and Collection and Other Than Penalties for Violation Applicable to Said Special License Tax; and Other Than Sale of Tax Exempt Gasoline Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of This Act.

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

Reps. Sticka, Maher and Schwartz introduced:

House Bill No. 99. A Bill for an Act to Amend Section 1-0143 of the Revised Code of 1943 by Providing Mountain Time for That Part of the State South and West of the Missouri River.

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

Reps. Fitch and Wolf of McIntosh introduced:

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

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

Rep. Sellens introduced:

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

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

## SECOND READING OF HOUSE BILLS

Rep. Fitch moved that House Bill No. 84 be placed at the head of the Calendar, which motion prevailed.

Rep. Fitch moved that the rules be suspended and that the title to House Bill No. 84 be amended in the third line by substituting the word "declaring" for the word "creating", which motion prevailed.

Rep. Fitch moved that the rules be suspended and that House Bill No. 84 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

Rep. Johnson of Richland moved that the consent of the House be granted to each individual member of the House to vote on House Bill No. 84, which motion prevailed.

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

Rep. Fleck requested that he be excused from voting on House Bill No. 84.

Rep. Olson of Barnes moved that Rep. Fleck be excused from voting on House Bill No. 84, which motion prevailed and Rep. Fleck was excused.

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 19; absent and not voting, 6; passing, 1.

Those voting in the affirmative were:

Acheson	Halvorson	Sandness
Anderson	Haugen	Schlafmann
Bagge	Haugland	Schmalenberger
Baumgartner	Heckman	Schmidt, Logan
Belzer	Hegge	Schmidt, Morton
Benno	Hogoboom	Schnell
Bolmeier	Isaak	Schwartz
Boucher	Jennings	Seibel
Brady	Johnson, Richland	Severson
Bubel	Klefstad	Sharpe
Burau	Leet	Shockman
Bymers	Levin	Skaar
Callahan	Lindberg	Stair
Collette	Luick	Stanley
Crockett	McInnes	Sticka
Dalzell	Maher	Still
Devlin	Moe	Stormon
Dittmer	Moerke	Symington
Drovdal	Mollet	Thompson, Griggs
Esterby	Monson	Thompson, Richl'nd
Falconer	Mork	Tuff
Fitch	Mortenson	Wambheim
Forseth	Nystrom	Welk
Fraser	Ohnstad	Westby
Fuglestad	Olson, Barnes	Wolf, McIntosh
Gainor	Ostgulen	Wollitz
Graham	Pyle	Yirchott
Grenier	Rohrer	Mr. Speaker
Haag	Sailer	

Those voting in the negative were:

Allen, Pierce	Halcrow	Langley
Arndt	Herk	Lillehaugen
Bjella	Hildre	Lysne

Drawz	Hofstrand	Sellens
Ekren	Hovey	Smart
Engel	Johnson, Cass	Wolf, Morton
Frank		

Passed:  
Fleck

Absent and not voting:

Allen, Grand Forks	Larson	Saumur
Blair	Olson, Bowman	Schimke

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

Rep. Crockett moved that the vote by which House Bill No. 84 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Speaker Bergesen: The only way that the Speaker, unless he takes the floor, can explain his viewpoint on a question is to explain his vote.

Two years ago I voted "No" on a similar bill because at that time we had a Concurrent Resolution which was passed by the Legislature asking the people to vote on the question. The people did vote on it but there was practically no publicity. The majority against the bill was so small that in my opinion if there had been proper publicity so that the people would have really understood what it was, the amendment would have carried by a substantial majority.

Now the question as to whether such a bill is constitutional is debatable.

South Dakota has declared that it is constitutional, some other states under their respective constitutions have said that it is not. The question has never been determined by the Supreme Court of this State. The only way that it can be determined is to pass a bill of this nature and have it come before the Supreme Court of North Dakota, then after that, the succeeding legislatures will know what their authority is.

I feel that that question should be tested out. If we do not pass the bill it can never get before the Supreme Court, if we do pass the bill it will, and for that reason I vote "aye".

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

Was read the second time.

#### ROLL CALL

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

Those voting in the affirmative were:

Acheson	Halcrow	Pyle
Allen, Pierce	Halvorson	Rohrer
Anderson	Haugen	Sailer
Arndt	Haugland	Sandness
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan

Bjella	Hildre	Schmidt, Morton
Bolmeier	Hofstrand	Schnell
Boucher	Hogoboom	Schwartz
Brady	Hovey	Seibel
Bubel	Isaak	Sellens
Bureau	Jennings	Severson
Bymers	Johnson, Cass	Sharpe
Callahan	Johnson, Richland	Shockman
Collette	Klefstad	Skaar
Crockett	Langley	Smart
Dalzell	Leet	Stair
Devlin	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Thompson, Rich'nd
Falconer	Moe	Tuff
Fitch	Moerke	Wambheim
Fleck	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Graham	Ohnstad	Yirchott
Grenier	Olson, Barnes	Mr. Speaker
Haag	Ostgulen	
Absent and not voting:		
Allen, Grand Forks	Gainor	Saumur
Benno	Larson	Schimke
Blair	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

House Bill No. 46. A Bill for an Act Requiring that County Auditors Be Notified Whenever Lands Owned by the State or Any County or Municipal Corporation Are Sold Upon Contract Providing for a Future Conveyance; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor, Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 101; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Acheson	Graham	Ostgulen
Allen, Pierce	Grenier	Pyle
Anderson	Haag	Rohrer
Arndt	Halcrow	Sandness
Bagge	Halvorson	Schlafmann
Baumgartner	Haugen	Schmalenberger
Belzer	Haugland	Schmidt, Logan
Benno	Heckman	Schmidt, Morton
Bjella	Hegge	Schnell
Blair	Herk	Schwartz
Bolmeier	Hofstrand	Seibel
Boucher	Hogoboom	Sellens
Brady	Hovey	Severson
Bubel	Isaak	Sharpe
Burau	Jennings	Shockman
Callahan	Johnson, Cass	Skaar
Collette	Johnson, Richland	Stair
Crockett	Klefstad	Stanley
Dalzell	Langley	Sticka
Devlin	Leet	Still
Dittmer	Lillehaugen	Stormon
Drawz	Lindberg	Symington
Drovdal	Luick	Thompson, Griggs
Ekren	Lysne	Thompson, Richlnd
Engel	McInnes	Tuff
Esterby	Maher	Wambheim
Falconer	Moe	Welk
Fitch	Moerke	Westby
Fleck	Mollet	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Frank	Mork	Wollitz
Fraser	Mortenson	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor	Olson, Barnes	

Those voting in the negative were:

Levin

Absent and not voting:

Allen, Grand Forks	Nystrom	Saumur
Bymers	Olson, Bowman	Schimke
Hildre	Sailer	Smart
Larson		

So the bill passed and the title was agreed to.

House Bill No. 53. A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for the Purchase Price of Chairs for Legislative Committees; 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, 1; absent and not voting, 13.

Those voting in the affirmative were:

Acheson	Haag	Olson, Barnes
Allen, Pierce	Halcrow	Ostgulen
Arndt	Halvorson	Pyle
Bagge	Haugen	Rohrer
Baumgartner	Haugland	Sandness
Belzer	Heckman	Schlafmann
Bjella	Hegge	Schmalenberger
Bolmeier	Herk	Schmidt, Logan
Boucher	Hildre	Schmidt, Morton
Brady	Hofstrand	Schnell
Bubel	Hogoboom	Schwartz
Bureau	Hovey	Sellens
Bymers	Isaak	Severson
Callahan	Jennings	Sharpe
Collette	Johnson, Cass	Shockman
Crockett	Johnson, Richland	Stair
Dalzell	Klefstad	Stanley
Devlin	Langley	Sticka
Dittmer	Leet	Still
Drawz	Levin	Stormon
Drovdal	Lillehaugen	Symington
Ekren	Lindberg	Thompson, Griggs
Engel	Luick	Thompson, Richl'nd
Esterby	Lysne	Tuff
Falconer	McInnes	Wambheim
Fitch	Maher	Welk
Fleck	Moe	Westby
Forseth	Moerke	Wolf, McIntosh
Frank	Mollet	Wolf, Morton
Fraser	Monson	Wollitz
Fuglestad	Mork	Yirchott
Graham	Mortenson	Mr. Speaker
Grenier	Ohnstad	

Those voting in the negative were:

Seibel

Absent and not voting:

Allen, Grand Forks	Larson	Saumur
Anderson	Nystrom	Schimke
Benno	Olson, Bowman	Skaar
Blair	Sailer	Smart
Gainor		

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

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 30, 1945

Mr. Speaker: I have the honor to transmit:

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.



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

KENNETH L. MORGAN, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 8; absent and not voting, 12.

Those voting in the affirmative were:

Acheson	Haugen	Schlafmann
Allen, Pierce	Haugland	Schmalenberger
Arndt	Heckman	Schmidt, Logan
Bagge	Hegge	Schmidt, Morton
Baumgartner	Herk	Schnell
Bjella	Hildre	Schwartz
Bolmeier	Hofstrand	Seibel
Boucher	Hogoboom	Sellens
Brady	Hovey	Severson
Bubel	Isaak	Sharpe
Bymers	Jennings	Shockman
Callahan	Johnson, Cass	Skaar
Collette	Johnson, Richland	Smart
Crockett	Klefstad	Stair
Dalzell	Langley	Stanley
Devlin	Leet	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Engel	Lysne	Thompson, Griggs
Esterby	McInnes	Thompson, Rich'nd
Falconer	Maher	Tuff
Fitch	Moe	Wambheim
Fleck	Mork	Welk
Forseth	Mortenson	Westby
Fraser	Ohnstad	Wolf, McIntosh
Fuglestad	Olson, Barnes	Wolf, Morton
Graham	Ostgulen	Wollitz
Grenier	Pyle	Yirchott
Haag	Rohrer	Mr. Speaker
Halcrow	Sandness	

Those voting in the negative were:

Belzer	Halvorson	Mollet
Ekren	Levin	Monson
Frank	Moerke	

Absent and not voting:

Allen, Grand Forks	Burau	Olson, Bowman
Anderson	Gainor	Sailer
Benno	Larson	Saumur
Blair	Nystrom	Schimke

So the bill passed as amended and the title was agreed to.

**FIRST READING OF HOUSE BILLS**

Rep. Johnson of Cass introduced:

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.

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

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

**KENNETH L. MORGAN, Chief Clerk.**

TWENTY-NINTH DAY AFTER RECESS  
AND THIRTIETH DAY

Bismarck, January 31, 1945

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

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

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

House Bill No. 49.

House Bill No. 56.

And find the same correctly Engrossed.

REP. LEET, Chairman.

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

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

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

House Bill No. 39.

And find the same correctly Re-engrossed.

REP. LEET, Chairman.

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

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 7, have had the same under consideration and recommend that the same be referred to General Orders.

REP. JOHNSON of Cass, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 65, have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the Title after the word "salary" and before the word "of" insert the words "and traveling expenses".

In line 6 of the Title strike out the words "Special Session" and insert in lieu thereof the words "Authenticated Edition of the Special Session Laws".

In line 8 of the Title between the word "the" and the word "Revised" insert the words "North Dakota".

In line 2 of the Bill after the word "SALARY" and before the word "The" strike out the period and insert the words "and traveling expenses. (Period)."

In line 7 of the Bill after the word "salary" and before the word "of" insert the words "and traveling expenses".

In line 8 of the Bill strike out the word "Laws" and strike out all of Line 9 and insert, in lieu thereof, the following: "Authenticated Edition of the Special Session Laws of 1944."

In line 11 between the words "the" and "Revised" insert the words "North Dakota".

In line 13 between the words "the" and "Revised" insert the words "North Dakota". Re-number the lines.

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Fitch moved that the report be adopted and House Bill No. 65 be placed in General Orders, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 70, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

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

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 64, have had the same under consideration and recommend that the same do pass.

REP. SCHNELL, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 38, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Haugen moved that the report be adopted.

Rep. Fitch offered as a substitute motion that House Bill No. 38 be indefinitely postponed.

After considerable discussion Rep. Benno moved the previous question, which motion prevailed.

The question being on the motion of Rep. Fitch to indefinitely postpone House Bill No. 38, which motion was lost.

Rep. Fitch demanded a roll call.

A sufficient number not requesting a roll call, a roll call was denied.

The question being on the motion of Rep. Haugen to adopt the report of the committee on House Bill No. 38, which motion prevailed and the report was adopted.

#### REPORT OF SELECT COMMITTEE

Mr. Speaker: The members of the committee appointed

to attend the funeral of the late Representative K. L. Boulden wish to report that they accompanied the remains to the Boulden home at Larimore. Funeral services were held Tuesday, January 30th, at 2 P. M., in the Methodist Church. There were many beautiful floral offerings and there was a large attendance of friends and neighbors. There were also many special offerings in his memory for charitable institutions and a special gift for a window in the local church in his memory. The service was concluded by the Masonic committal ceremony. The members of the family have requested us to express to the House of Representatives their deep appreciation for the many courtesies extended to them during this trying time, and especially the contribution by Speaker A. R. Bergesen in the services at the funeral home in Bismarck. Your committee requests that it now be discharged.

REP. BLAIR  
 REP. ALLEN of Grand Forks  
 REP. SAUMUR

Rep. Saumur moved that the report of the Boulden committee be adopted, which motion prevailed and the report was adopted and the committee discharged.

Rep. Bolmeier moved that the report of the Boulden committee be printed in the Journal, which motion prevailed.

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

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

KENNETH L. MORGAN, Chief Clerk.

### THIRTIETH DAY

Bismarck, January 31, 1945

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

Prajer was offered by Rev. Claude Pearson.

Roll call: All members present except Rep. Olson of Bowman.

### MESSAGE TO THE SENATE

House of Representatives  
 Bismarck, January 31, 1945

Mr. President: I have the honor to transmit:

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

House Bill No. 46. A Bill for an Act Requiring that County Auditors Be Notified Whenever Lands Owned by the State or Any County or Municipal Corporation Are Sold Upon Contract Providing for a Future Conveyance; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor. Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the

Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

House Bill No. 53. A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for the Purchase Price of Chairs for Legislative Committees; and Declaring an Emergency.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

House Concurrent Resolution "A."

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

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 31, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Senate Bill No. 63. A Bill for an Act to Amend and Re-enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

Senate Bill No. 75. A Bill for an Act Prescribing the Method of Investing the Various Funds of the State of North Dakota and the Boards, Bureaus, Institutes and Industries of the State; to Eliminate the Confusion and Competition Between the Various Departments Now Selling and Buying Bonds; Provide Penalty for Violation of this Act, and Repealing all Acts in Conflict Herewith.

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

W. J. TROUT, Secretary.

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

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

Twenty-eighth Day After Recess and Twenty-ninth Day and recommends that the same be corrected as follows:

In line 17 on page 234, change the word "creating" to read "declaring".

In the last line on page 238, change the word "Creating" to read "Declaring".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

Rep. Fleck asked the consent of the House to withdraw House Bill No. 63, stating it was improperly drawn, which request was granted.

#### FIRST READING OF HOUSE BILLS

Rep. Moe introduced:

House Bill No. 103. A Bill for an Act Authorizing the Publication of Delinquent Personal Property Tax Lists.

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

Reps. Fitch, Crockett, Severson and Graham introduced:

House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

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

Rep. Stormon introduced:

House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund.

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

Reps. Fitch and Crockett introduced:

House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status, Issued by the Secretaries of War and Navy and Other Federal Officers and Employees.

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

The Committee on Veterans and Military Affairs introduced:

House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof; Establishing the Office of Commissioner of Veterans' Affairs; Providing the Qualifications, the Manner of Appointment, Duties and Salary of Such Officer, and Prescribing His Duties.

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

Reps. Crockett, Larson and Schimke introduced:

House Bill No. 108. A Bill for an Act Defining the Term "Fire Insurance"; and Declaring an Emergency.

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

Reps. Schnell and Anderson (by request) introduced:

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States Department of the Interior, Fish and Wildlife Service in Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

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

Rep. Bagge moved that House Bill No. 38 be placed at the head of the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

The Speaker called Rep. Sandness to the chair.

MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, January 31, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

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

W. J. TROUT, Secretary.

Speaker Bergesen resumed the Chair.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 22; absent and not voting, 1.

Those voting in the affirmative were:

Acheson	Haugland	Rohrer
Anderson	Heckman	Sailer
Bagge	Hegge	Sandness
Baumgartner	Hildre	Schimke
Belzer	Hofstrand	Schlafmann
Bjella	Hogoboom	Schmalenberger
Boucher	Hovey	Schmidt, Logan
Bubel	Isaak	Schmidt, Morton
Burau	Jennings	Schnell
Bymers	Johnson, Richland	Schwartz



Callahan	Klefstad	Seibel
Collette	Langley	Sellens
Crockett	Larson	Severson
Devlin	Leet	Sharpe
Dittmer	Levin	Shockman
Drovdal	Lillehaugen	Skaar
Engel	Lindberg	Stair
Esterby	Luick	Stanley
Falconer	McInnes	Sticka
Forseth	Maher	Still
Frank	Moe	Thompson, Griggs
Fraser	Moerke	Thompson, Rich'nd
Fuglestad	Mollet	Tuff
Gainor	Monson	Wambheim
Graham	Mork	Welk
Grenier	Mortenson	Westby
Haag	Nystrom	Wolf, McIntosh
Halcrow	Ohnstad	Wolf, Morton
Halvorson	Olson, Barnes	Wollitz
Haugen	Ostgulen	

Those voting in the negative were:

Allen, Grand Forks	Drawz	Pyle
Allen, Pierce	Ekren	Saumur
Arndt	Fitch	Smart
Benno	Fleck	Stormon
Blair	Herk	Symington
Bolmeier	Johnson, Cass	Yirehott
Brady	Lysne	Mr. Speaker
Dalzell		

Absent and not voting:

Olson, Bowman

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

Rep. Bagge moved that the vote by which House Bill No. 38 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 57-1529 of the North Dakota Revised Code of 1943, Relating to War Emergency Fund; Cities.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 6; absent and not voting, 11.

Those voting in the affirmative were:

Acheson	Graham	Ohnstad
Allen, Grand Forks	Grenier	Olson, Barnes
Allen, Pierce	Haag	Pyle
Anderson	Halcrow	Rohrer
Arndt	Halvorson	Saumur
Bagge	Haugen	Schlafmann
Baumgartner	Haugland	Schmalenberger
Benno	Heckman	Schmidt, Logan
Bjella	Hegge	Schmidt, Morton
Blair	Herk	Schnell
Bolmeier	Hildre	Schwartz

Boucher	Hofstrand	Sellens
Brady	Hogoboom	Sharpe
Bubel	Hovey	Shockman
Bureau	Isaak	Skaar
Bymers	Jennings	Smart
Callahan	Johnson, Richland	Stanley
Collette	Klefstad	Sticka
Crockett	Langley	Still
Dalzell	Leet	Stormon
Devlin	Levin	Symington
Dittmer	Lillehaugen	Thompson, Griggs
Drawz	Lindberg	Tuff
Drovdal	Luick	Wambheim
Ekren	Lysne	Welk
Engel	McInnes	Westby
Esterby	Maher	Wolf, McIntosh
Forseth	Moerke	Wolf, Morton
Frank	Mollet	Wollitz
Fraser	Mork	Yirchott
Fuglestad	Mortenson	Mr. Speaker
Gainor	Nystrom	
Those voting in the negative were:		
Johnson, Cass	Moe	Seibel
Larson	Schimke	Thompson, Rich'nd
Absent and not voting:		
Belzer	Monson	Sandness
Falconer	Olson, Bowman	Severson
Fitch	Ostgulen	Stair
Fleck	Sailer	

So the bill as amended passed and the title as amended was agreed to.

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, January 31, 1945

Mr. President: I have the honor to transmit:

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

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

KENNETH L. MORGAN, Chief Clerk.

Rep. Schnell moved that House Bill No. 40 be re-referred to the Committee on Livestock, which motion prevailed.

House Bill No. 45. A Bill for an Act Providing a Method for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Grenier	Rohrer
Allen, Grand Forks	Haag	Sailer
Allen, Pierce	Halcrow	Sandness
Anderson	Halvorson	Saumur
Arndt	Haugen	Schlafmann
Bagge	Haugland	Schmalenberger
Baumgartner	Heckman	Schmidt, Logan
Benno	Hegge	Schmidt, Morton
Bjella	Herk	Schnell
Blair	Hofstrand	Schwartz
Bolmeier	Hogoboom	Seibel
Boucher	Hovey	Sellens
Brady	Isaak	Sharpe
Bubel	Jennings	Shockman
Bureau	Johnson, Cass	Skaar
Bymers	Klefstad	Smart
Callahan	Langley	Stanley
Collette	Leet	Sticka
Crockett	Levin	Still
Dalzell	Lillehaugen	Stormon
Devlin	Lindberg	Symington
Dittmer	Lysne	Thompson, Griggs
Drawz	McInnes	Thompson, Rich'nd
Drovdal	Maher	Tuff
Ekren	Moerke	Wambheim
Engel	Mollet	Welk
Esterby	Mork	Westby
Forseth	Mortenson	Wolf, McIntosh
Frank	Nystrom	Wolf, Morton
Fraser	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Yirchott
Graham	Pyle	Mr. Speaker

Those voting in the negative were:

Moe

Absent and not voting:

Belzer	Hildre	Olson, Bowman
Falconer	Johnson, Richland	Ostgulen
Fitch	Larson	Schimke
Fleck	Luick	Severson
Gainor	Monson	Stair

So the bill passed and the title was agreed to.

House Bill No. 47. A Bill for an Act Legalizing the Operation of Certain School Districts and Fixing the Tax Levies Therein.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Acheson	Graham	Sailer
Allen, Grand Forks	Grenier	Sandness
Allen, Pierce	Haag	Saumur
Anderson	Halcrow	Schimke
Arndt	Halvorson	Schlafmann
Bagge	Haugen	Schmalenberger

Baumgartner	Heckman	Schmidt, Logan
Belzer	Hegge	Schmidt, Morton
Benno	Hildre	Schnell
Bjella	Hofstrand	Schwartz
Bolmeier	Hogoboom	Seibel
Boucher	Isaak	Sellens
Brady	Jennings	Sharpe
Bubel	Langley	Shockman
Burau	Larson	Skaar
Bymers	Leet	Smart
Callahan	Levin	Stair
Collette	Lillehaugen	Stanley
Crockett	Lindberg	Sticka
Dalzell	Luick	Still
Devlin	Lysne	Stormon
Dittmer	Maher	Symington
Drawz	Moe	Thompson, Richl'nd
Drovdal	Moerke	Tuff
Ekren	Mollet	Wambheim
Engel	Monson	Welk
Esterby	Mortenson	Westby
Falconer	Nystrom	Wolf, McIntosh
Fitch	Ohnstad	Wolf, Morton
Forseth	Olson, Barnes	Wollitz
Frank	Ostgulen	Yirchott
Fraser	Pyle	Mr. Speaker
Gainor	Rohrer	
Absent and not voting:		
Blair	Hovey	Mork
Fleck	Johnson, Cass	Olson, Bowman
Fuglestad	Johnson, Richland	Severson
Haugland	Klefstad	Thompson, Griggs
Herk	McInnes	

So the bill passed and the title was agreed to.

Rep. Leet moved that the title of House Bill No. 47 be amended by striking out the period, inserting a comma and adding: "and declaring an emergency.", which motion prevailed.

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 69; nays, 23; absent and not voting, 20.

Those voting in the affirmative were:

Acheson	Fitch	Lysne
Allen, Pierce	Frank	Nystrom
Anderson	Fraser	Ohnstad
Arndt	Gainor	Olson, Barnes
Bagge	Graham	Pyle
Baumgartner	Grenier	Sailer
Belzer	Haag	Sandness
Bjella	Halcrow	Saumur
Blair	Heckman	Schimke
Bolmeier	Hegge	Schmidt, Logan

Brady	Herk	Sellens
Burau	Hildre	Shockman
Bymers	Hofstrand	Skaar
Callahan	Hogoboom	Smart
Crockett	Hovey	Stanley
Dalzell	Johnson, Richland	Stormon
Devlin	Klefstad	Tuff
Dittmer	Larson	Wambheim
Drawz	Leet	Westby
Drovdal	Levin	Wolf, Morton
Ekren	Lillehaugen	Wollitz
Engel	Lindberg	Yirchott
Falconer	Luick	Mr. Speaker
Those voting in the	negative were:	
Allen, Grand Forks	Mork	Seibel
Bubel	Mortenson	Stair
Halvorson	Ostgulen	Sticka
Haugen	Schlafmann	Still
Jennings	Schmalenberger	Thompson, Richl'nd
Moerke	Schmidt, Morton	Welk
Mollet	Schnell	Wolf, McIntosh
Monson	Schwartz	
Absent and not voting:		
Benno	Haugland	Olson, Bowman
Boucher	Isaak	Rohrer
Collette	Johnson, Cass	Severson
Esterby	Langley	Sharpe
Fleck	McInnes	Symington
Forseth	Maher	Thompson, Griggs
Fuglestad	Moe	

So the bill passed as amended and the title was agreed to.

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund, After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

Was read the second time.

#### ROLL CALL

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

Those voting in the	affirmative were:	
Acheson	Haag	Sailer
Allen, Grand Forks	Halcrow	Sandness
Allen, Pierce	Halvorson	Saumur
Arndt	Haugland	Schimke
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell.
Blair	Hogoboom	Schwartz
Bolmeier	Hovey	Seibel
Boucher	Isaak	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Richland	Shockman

Burau	Klefstad	Skaar
Bymers	Langley	Smart
Callahan	Larson	Stair
Collette	Leet	Stanley
Crockett	Levin	Sticka
Dalzell	Lillehaugen	Still
Devlin	Lindberg	Stormon
Dittmer	Luick	Symington
Drawz	Lysne	Thompson, Griggs
Drovdal	McInnes	Thompson, Richl'nd
Ekren	Moerke	Tuff
Engel	Mollet	Wambheim
Falconer	Monson	Welk
Fitch	Mork	Westby
Frank	Mortenson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Fuglestad	Ohnstad	Wollitz
Gainor	Ostgulen	Yirchott
Graham	Pyle	Mr. Speaker
Grenier		

## Absent and not voting:

Anderson	Haugen	Olson, Barnes
Esterby	Johnson, Cass	Olson, Bowman
Fleck	Maher	Rohrer
Forseth	Moe	Sharpe

So the bill passed and the title was agreed to.

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Haag	Sandness
Allen, Grand Forks	Halcrow	Saumur
Allen, Pierce	Haugland	Schimke
Arndt	Heckman	Schlafmann
Bagge	Hegge	Schmalenberger
Baumgartner	Herk	Schmidt, Logan
Belzer	Hildre	Schmidt, Morton
Benno	Hofstrand	Schnell
Bjella	Hogoboom	Schwartz
Blair	Hovey	Sellens
Bolmeier	Isaak	Severson
Boucher	Jennings	Sharpe
Burau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Crockett	Larson	Stair
Dalzell	Leet	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington

Ekren	McInnes	Thompson, Griggs
Engel	Moerke	Thompson, Rich'nd
Esterby	Mollet	Tuff
Falconer	Monson	Wambheim
Fitch	Mork	Welk
Frank	Mortenson	Westby
Fraser	Nystrom	Wolf, McIntosh
Fuglestad	Ohnstad	Wolf, Morton
Gainor	Ostgulen	Wollitz
Graham	Pyle	Yirchott
Grenier	Sailer	Mr. Speaker

Those voting in the negative were:

Seibel

Absent and not voting:

Anderson	Forseth	Maher
Brady	Halvorson	Moe
Bubel	Haugen	Olson, Barnes
Collette	Johnson, Cass	Olson, Bowman
Fleck	Levin	Rohrer

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

Rep. Lillehaugen moved that the vote by which House Bill No. 56 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. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.**

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

**Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.**

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

**Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.**

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

**Senate Bill No. 39. 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 Sections 26-2401 to 26-2421, Inclusive, of the North Dakota Revised Code of 1943, and Declaring an Emergency.**

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

**Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.**

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

**Senate Bill No. 63. A Bill for an Act to Amend and Re-**

enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

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

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

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

Senate Bill No. 75. A Bill for an Act Prescribing the Method of Investing the Various Funds of the State of North Dakota and the Boards, Bureaus, Institutes and Industries of the State; to Eliminate the Confusion and Competition Between the Various Departments Now Selling and Buying Bonds; Provide Penalty for Violation of this Act, and Repealing all Acts in Conflict Herewith.

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

#### FIRST READING OF HOUSE BILLS

Reps. Johnson of Richland and Ohnstad introduced:

House Bill No. 110. A Bill for an Act to Amend and Re-enact Section 57-3706 of North Dakota Revised Code of 1943 and Determining the Interest of Each Joint Tenant at Time of Death of One of the Joint Tenants; Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Rep. Sellens introduced:

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 16-1016 of the North Dakota Revised Code of 1943, Increasing Compensation of Inspector, Judges and Clerks of Election.

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

The Committee on Mines and Mining introduced:

House Bill No. 112. A Bill for an Act Amending and Re-enacting Section 11-2704 of the North Dakota Revised Code of 1943 Relating to Reservation of Mineral Rights; Declaring an Emergency.

Was read the first time and referred to the Committee on Mines and Mining.

Rep. Devlin moved that the House recess until 1:15 o'clock p.m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.



THIRTIETH DAY AFTER RECESS  
AND THIRTY-FIRST DAY

Bismarck, February 1, 1945

The House reconvened at 1:15 o'clock p.m., pursuant to recess taken, Speaker Bergesen presiding.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 40, have had the same under consideration and recommend that the same do pass.

REP. SCHNELL, Chairman.

Rep. Welk 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. 45, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

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

FIRST READING OF HOUSE BILLS

Reps. Haugen and Bubel introduced:

House Bill No. 113. A Bill for an Act Permitting Suit Against State Instrumentalities for Breach of Promises Made by Their Agents and Employees and Declaring an Emergency.

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

Reps. Saumur, Blair and Schnell introduced:

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Wages, Salaries and Commissions, Including Overtime or Premium Pay or Penalties Thereon Required or Authorized by Any Statute, to a Period of One Year After the Accrual of the Right to Such Pay, and Declaring an Emergency.

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

Rep. Maher introduced:

House Concurrent Resolution "G". A Concurrent Resolution Providing for the Amendment of Section 170 of the Constitution of the State of North Dakota.

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

Rep. Bolmeier on behalf of the Committee on State Affairs

requested an extension of time on House Bill No. 75 and House Bill No. 58.

Rep. Wolf of McIntosh moved that the request of Rep. Bolmeier be granted, which motion prevailed.

Rep. Johnson of Richland on behalf of the Committee on Judiciary requested an extension of time on House Bill No. 54.

Rep. Sailer moved that the request of Rep. Johnson of Richland be granted, which motion prevailed.

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

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

KENNETH L. MORGAN, Chief Clerk.

### THIRTY-FIRST DAY

Bismarck, February 1, 1945

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

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

Roll call: All members present except Rep. Olson of Bowman.

### MESSAGE TO THE SENATE

House of Representatives

Bismarck, February 1, 1945.

Mr. President: I have the honor to transmit:

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 57-1529 of the Revised Code of 1943.

House Bill No. 45. A Bill for an Act Providing a Method for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.

House Bill No. 47. A Bill for an Act Legalizing the Operation of Certain School Districts and Fixing the Tax Levies Therein, and Declaring an Emergency.

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund, After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.

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

KENNETH L. MORGAN, Chief Clerk.

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

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

Twenty-ninth Day After Recess and Thirtieth Day and find the same to be correct.

REP. FUGLESTAD, Chairman.

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

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 57, have had the same under consideration and recommend that the same be amended as follows:

At the beginning of line 1 of the bill insert the following language "Section 1. Amendment.) That".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

REP. JOHNSON of Richland, Chairman.

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

Rep. Johnson of Richland moved that the rules be suspended and the amendments recommended by the Standing Committee be adopted, which motion prevailed.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 44, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Grand Forks, Chairman.

Rep. Moe 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. 52, have had the same under consideration and recommend that the same be amended as follows:

In line 4 insert after the numeral "8" a "hyphen" and the numerals "3208".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Bubel moved that the report of the committee be amended to read:

In line 4 strike out the period after the figure "28" and insert a "hyphen" and the numerals "3208.", which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and the amendments as recommended by the committee and as further amended by the House, be adopted, which motion prevailed.

Mr. Speaker: Your Committee on Banks and Banking to whom was referred House Bill No. 79, have had the same under consideration and recommend that the same do pass.

REP. CALLAHAN, Chairman.

Rep. Wolf of Morton moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Reps. Haugen, Bagge, Yirchott and Maher introduced:

House Bill No. 115. A Bill for an Act Authorizing County

Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

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

The Committee on Judiciary introduced:

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

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

The Committee on Judiciary introduced:

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

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

The Committee on Judiciary introduced:

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

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

The Committee on Veterans and Military Affairs introduced:

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

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

Reps. Fleck and Jennings introduced:

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

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

#### SECOND READING OF HOUSE BILLS

House Bill No. 64. A Bill for an Act Amending and Re-enacting Section 19-1403 of the North Dakota Revised Code of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 111; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer

Anderson	Halvorson	Sailer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur
Baumgartner	Heckman	Schimke
Belzer	Hegge	Schlafmann
Benno	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Logan
Blair	Hofstrand	Schmidt, Morton
Bolmeier	Hogoboom	Schnell
Boucher	Hovey	Schwartz
Brady	Isaak	Seibel
Bubel	Jennings	Sellens
Burau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Crockett	Larson	Smart
Dalzell	Leet	Stair
Devlin	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Droydal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Thompson, Rich'nd
Falconer	Moe	Tuff
Fitch	Moerke	Wambheim
Fleck	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Graham	Olson, Barnes	Mr. Speaker

Absent and not voting:

Olson, Bowman

So the bill passed and the title was agreed to.

House Bill No. 70. A Bill for an Act Relating to the Duration of Authority for Excess Tax Levies in Counties, Cities, Villages or Townships.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 100; nays, 11; absent and not voting, 1.

Those voting in the affirmative were:

Acheson	Gainor	Ohnstad
Allen, Grand Forks	Graham	Olson, Barnes
Allen, Pierce	Grenier	Pyle
Anderson	Haag	Rohrer
Arndt	Halerow	Sailer
Bagge	Halvorson	Sandness
Baumgartner	Haugen	Saumur
Belzer	Haugland	Schimke
Benno	Heckman	Schlafmann
Bjella	Hegge	Schmalenberger
Blair	Herk	Schmidt, Logan

Bolmeier	Hildre	Schmidt, Morton
Boucher	Hofstrand	Schnell
Brady	Hogoboom	Schwartz
Bubel	Hovey	Seibel
Bureau	Jennings	Sellens
Callahan	Johnson, Richland	Sharpe
Collette	Klefstad	Shockman
Crockett	Langley	Skaar
Dalzell	Larson	Stair
Devlin	Leet	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, Morton
Frank	Mortenson	Yirchott
Fraser	Nystrom	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Bymers	Moe	Thompson, Rich'nd
Isaak	Ostgulen	Wolf, McIntosh
Johnson, Cass	Severson	Wollitz
Levin	Smart	

Absent and not voting:

Olson, Bowman

So the bill passed and the title was agreed to.

Rep. Johnson of Richland moved that consideration of House Bill No. 7 which is in General Orders be deferred until next Wednesday, which motion prevailed.

Rep. Bubel moved that House Bill No. 40 be placed at the head of the Calendar, which motion prevailed.

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Gainor	Ostgulen
Allen, Grand Forks	Graham	Pyle
Allen, Pierce	Grenier	Rohrer
Anderson	Haag	Sailer
Arndt	Halcrow	Sandness
Bagge	Halvorson	Saumur
Baumgartner	Haugen	Schimke
Belzer	Haugland	Schlafmann
Benno	Heckman	Schmalenberger
Bjella	Hegge	Schmidt, Logan
Blair	Herk	Schmidt, Morton

Bolmeier	Hildre	Schnell
Boucher	Hofstrand	Schwartz
Brady	Hogoboom	Seibel
Burau	Hovey	Sellens
Bymers	Jennings	Severson
Callahan	Johnson, Richland	Sharpe
Collette	Klefstad	Shockman
Crockett	Larson	Smart
Dalzell	Levin	Stair
Devlin	Lillehaugen	Stanley
Drawz	Lindberg	Sticka
Drovdal	Luick	Still
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Richl'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Mork	Wolf, McIntosh
Forseth	Mortenson	Wolf, Morton
Frank	Nystrom	Wollitz
Fraser	Ohnstad	Mr. Speaker
Fuglestad	Olson, Barnes	
Those voting in the negative were:		
Bubel	Leet	Stormon
Dittmer	Lysne	Symington
Isaak	Moe	Yirchott
Johnson, Cass	Skaar	
Absent and not voting:		
Langley	Olson, Bowman	Wambheim

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

Rep. Schnell moved that the vote by which House Bill No. 40 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 1, 1945

Mr. President: I have the honor to transmit:

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

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

KENNETH L. MORGAN, Chief Clerk.

Rep. Fitch read Rule No. 39 of the Senate and House Rules for 1945 and requested a ruling on the same by the Speaker.

The Speaker ruled that the wording of the Rule Book refers to a Legislative Day.

Rep. Graham moved that the Speaker appoint a committee of three to confer with a like committee from the Senate to make the necessary arrangements for a Joint Session to hear Admiral Carpenter who will be in Bismarck next Wednesday, which motion prevailed.

The Speaker appointed Reps. Graham, Fleck and Sailer.

## GENERAL ORDERS

Rep. Crockett moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Crockett to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 24.

Line 3—Strike out the figures "\$34,500.00" and insert in lieu thereof the figures "\$30,000.00".

In line 9 strike out the words and figures "Chapter 36, Session Laws of 1943," and insert in lieu thereof the words and figures "Chapter 12-51 North Dakota Revised Code of 1943,".

And when so amended recommend the same do pass.

House Bill No. 65.

In line 4 of the Title after the word "salary" and before the word "of" insert the words "and traveling expenses".

In line 6 of the Title strike out the words "Special Session" and insert in lieu thereof the words "Authenticated Edition of the Special Session Laws".

In line 8 of the Title between the word "the" and the word "Revised" insert the words "North Dakota".

In line 2 of the Bill after the word "SALARY" and before the word "The" strike out the period and insert the words "and traveling expenses. (Period)."

In line 7 of the Bill after the word "salary" and before the word "of" insert the words "and traveling expenses".

In line 8 of the Bill strike out the word "Laws" and strike out all of Line 9 and insert, in lieu thereof, the following: "Authenticated Edition of the Special Session Laws of 1944."

In line 11 between the words "the" and "Revised" insert the words "North Dakota".

In line 13 between the words "the" and "Revised" insert the words "North Dakota". Renumber the lines.

In line six insert a "comma" after the word "fund" and insert the following words and figures: "not to exceed the sum of \$5,000.00,".

And when so amended recommend the same do pass.

W. M. CROCKETT, Chairman,  
Committee of the Whole.

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

## MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 1, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 8. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Out-



fitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 30 of the Authenticated Edition of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly (House Bill 24) Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

Senate Bill No. 72. A Bill for an Act Accepting from the United States the Lands and Improvements Comprising the Bismarck Indian School Plant, to Be Known as Fraire Barracks, and Declaring an Emergency.

Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code of 1943 Relating to Cooperative Associations and the Purposes of Organization.

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, and Declaring an Emergency.

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Villages and Cities of the State of North Dakota.

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and to Declare an Emergency.

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

W. J. TROUT, Secretary.

## FIRST READING OF SENATE BILLS

Senate Bill No. 8. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

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

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

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

Senate Bill No. 14. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

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

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

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

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

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

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 30 of the Authenticated Edition of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly (House Bill 24) Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

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

Senate Bill No. 72. A Bill for an Act Accepting from the United States the Lands and Improvements Comprising the Bismarck Indian School Plant, to Be Known as Fraire Barracks, and Declaring an Emergency.

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

Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code

of 1943 Relating to Cooperative Associations and the Purposes of Organization.

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

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, and Declaring an Emergency.

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

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Villages and Cities of the State of North Dakota.

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

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and to Declare an Emergency.

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

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 1, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Section 57-2818 of the North Dakota Revised Code of 1943 Providing for Private Sale of County Tax Deed Property, and Redemption and Distribution of Proceeds.

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

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

W. J. TROUT, Secretary.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined

Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

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

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Section 57-2818 of the North Dakota Revised Code of 1943 Providing for Private Sale of County Tax Deed Property, and Redemption and Distribution of Proceeds.

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

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

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

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

KENNETH L. MORGAN, Chief Clerk.

**THIRTY-FIRST DAY AFTER RECESS  
AND THIRTY-SECOND DAY**

Bismarck, February 2, 1945

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

**PETITIONS AND COMMUNICATIONS**

**RESOLUTION**

WHEREAS the Richland County Wild Life Federation is interested in the proper regulation of fur buying in this vicinity and

WHEREAS it appears that North Dakota laws give a preference to out-of-state buyers in competition with local buyers, due to the fact that out-of-state buyers for a small fee can buy direct from the trappers at a price where a local buyer is not able to compete and

WHEREAS this condition gives out-of-state buyers an opportunity to cover up illegally purchased out-of-state furs as North Dakota products by fake sales slips.

THEREFOR BE IT RESOLVED that the Wild Life Federation of Richland County go on record as favoring a revision of the laws regulating North Dakota's million dollar fur business.

January 31, 1945.

Richland County Wild Life Federation,  
Lidgerwood, North Dakota.

G. H. MOVIUS, President.

MARVIN J. HUCKLE, Secretary.

Rep. Johnson of Richland moved that the resolution be printed in the Journal, which motion prevailed.

Rep. Blair, Chairman of the Committee on Employment moved that the resignation of Mrs. Edna Sand as stenographer and committee clerk be accepted and that her name be expunged from the payroll of the House as of after today, which motion prevailed.

**HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT**

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

House Bill No. 24.

House Bill No. 65.

House Bill No. 52.

House Bill No. 57.

And find the same correctly Engrossed.

REP. LEET, 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 Livestock to whom was referred House Bill No. 59, have had the same under consideration and recommend that the same do pass.

REP. SCHNELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 99, have had the same under consideration and recommend that the same be amended as follows:

In line one of the title of the original bill after the words "of the" and before the word "Revised" insert the following words "North Dakota".

In the last line of the title after the word "River" strike out the "period" and insert in lieu thereof a "comma" and add the following words "and declaring an emergency."

And when so amended recommend the same be placed before the House without further recommendation.

REP. BOLMEIER, Chairman.

Rep. Sellens 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. 75, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

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

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 76, have had the same under consideration and recommend that the same do pass.

REP. BYMERS, Chairman.

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

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 77, have had the same under consideration and recommend that the same do pass.

REP. BYMERS, Chairman.

Rep. Hogboom 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. 48, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the word "bill" and insert the following language:

For an Act to Amend and Re-enact Section 46-0405 of the North Dakota Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT.) That Section 46-0405 of  
 2 the North Dakota Revised Code of 1943 is hereby amended  
 3 and re-enacted to read as follows:

4 Section 46-0405. DISTRIBUTION OF SESSION

4a LAWS,

5 COMPILATIONS AND CODIFICATIONS TO COUNTY

5a OFFICERS.

6 The board of county commissioners of each county,  
 7 immediately after the publication of any session  
 8 laws, codes, or compilations, shall cause a copy  
 9 thereof to be furnished to the following county  
 10 officers:

11 1. Auditor;

12 2. State's attorney;

13 3. Clerk of court;

14 4. Sheriff;

15 5. County judge; and

16 6. The district court of such county.

17 If any of such offices legally have been combined in  
 18 such county, only one copy of the session laws, codes,  
 19 or compilations need be furnished for the offices so  
 20 combined.

21 Provided, however, that other county officers  
 22 may, in the discretion of the board of county commis-  
 23 sioners, be provided with copies of session laws,  
 24 compilations and codifications.

And when so amended recommend the same do pass.

REP. JOHNSON of Richland, Chairman.

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

#### FIRST READING OF HOUSE BILLS

The Committee on Education introduced:

House Bill No. 121. A Bill for an Act to Amend and Re-  
 enact Section 15-4011 of the Revised Code of 1943, Relating to  
 the Determination of Sums Due School Districts from the  
 State Equalization Fund on Per Pupil Basis.

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

The Committee on Education introduced:

House Bill No. 122. A Bill for an Act to Amend and Re-  
 enact Section 15-4018 of the Revised Code of 1943, Relating  
 to the Payments from the State Equalization Fund on  
 Teacher-Unit Basis, and Providing for Additional Distribu-  
 tion on Teacher-Unit Basis of Any Unused Balances in the  
 State Equalization Fund.

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

The Committee on Education introduced:

House Bill No. 123. A Bill for an Act to Amend and Re-  
 enact Section 15-4014 of the Revised Code of 1943, Relating  
 to the Amount of High School Tuition, the Amount of Pay-  
 ments, and the Tuition of Students Attending School in a  
 Foreign School.

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

Reps. Drovdal and Acheson introduced:

House Bill No. 124. A Bill for an Act Extending the Time  
 in Which County Officers Shall Adopt and Conform to

Uniform System of Accounting Prescribed by State Examiner by Section 6-0122 of the Revised Code of 1943, from July 1st, 1945, to July 1st, 1947.

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

Rep. Graham introduced:

House Bill No. 125. A Bill for an Act Relating to Attorney, Brokerage or Other Fees or Commissions in Funding or Refunding Indebtedness of Counties, Cities, Villages, Townships, and School Districts and Park Districts, and Providing a Penalty for the Violation of This Act.

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

The Committee on Appropriations introduced:

House Bill No. 126. A Bill for an Act Authorizing and Requiring the Board of Administration to Fix and Collect Rental for All Office Space in the Capitol, Used and Occupied by Federal Agencies, and to Require Removal from the Capitol of All of Such Agencies as Fail or Refuse to Pay Rental for the Space Occupied; and Declaring an Emergency.

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

The Committee on Appropriations introduced:

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund of the State, and Declaring an Emergency.

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

Rep. Johnson of Cass introduced:

House Bill No. 128. A Bill for an Act Continuing in Force and Effect All Standing and Continuing Appropriations Omitted from the North Dakota Revised Code of 1943; Creating an Emergency.

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

The Ways and Means Committee introduced:

House Bill No. 129. A Bill for an Act to Create a Department of Public Safety in the State of North Dakota, to Provide and Maintain a State Patrol, and the Appointment of a Superintendent, Patrolmen and Employees Thereof, and to Provide for Schools of Instruction of Said State Patrol Members and Provide for Their Duties and Powers; to Provide Penalties for Violations and to Repeal Acts in Conflict Therewith.

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

Rep. Allen of Grand Forks moved that House Bill No. 62 be printed, which motion prevailed.

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

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

KENNETH L. MORGAN, Chief Clerk.



## THIRTY-SECOND DAY

Bismarck, February 2, 1945

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

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

Roll call: All members present except Reps. Olson of Bowman, Hildre, Johnson of Cass, Grenier, Skaar and Wambheim.

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 64. A Bill for an Act Amending and Re-enacting Section 19-1403 of the North Dakota Revised Code of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

House Bill No. 70. A Bill for an Act Relating to the Duration of Authority for Excess Tax Levies in Counties, Cities, Villages or Townships.

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

KENNETH L. MORGAN, Chief Clerk.

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

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

On page 262 transfer lines 19, 20, 21 and 22 to immediately preceding the signature of W. M. Crockett, Chairman.

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

## PETITIONS AND COMMUNICATIONS

North Dakota  
SOCIETY OF PROFESSIONAL ENGINEERS  
Bismarck, North Dakota  
February 2, 1945

Honorable A. R. Bergesen  
Speaker of the House of Representatives  
Dear Sir:

The North Dakota Society of Professional Engineers has established a Public Relations Committee, one of the duties of which is to furnish information relative to the engineering profession and its development in service to the state.

The Society has no proposals to make to the Legislature. However, by unanimous vote, the Committee offers its services to the the members of the Legislature on matters pertaining to professional engineering.

The Committee, on behalf of the Society, wishes to express hearty approval of the third resolution, presented to the

Legislature by the North Dakota County Commissioners Association, calling for the employment of "capable engineers—to safeguard the interests of North Dakota in the expenditure of the funds made available for highway purposes."

The Committee also wishes to express its appreciation for the action of the 1943 Legislature in providing for the Registration of Professional Engineers.

Sincerely yours,

**PUBLIC RELATIONS COMMITTEE**

**K. C. LAUSTER**

Sanitary Engineer, Chairman  
Registered Professional Engineer

**ALEX C. BURR**

Chemical Engineer  
Registered Professional Engineer

**FRANK E. CAVE**

Structural Engineer  
Registered Professional Engineer

**P. K. LEWIS**

Civil Engineer  
Registered Professional Engineer

**L. A. FRENCH**

Civil Engineer  
Registered Professional Engineer

Rep. Johnson of Richland moved that the communication from the Society of Professional Engineers be printed in the Journal, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 24. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 7; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Fraser	Mortenson
Allen, Grand Forks	Fuglestad	Nystrom
Allen, Pierce	Gainor	Ohnstad
Anderson	Graham	Olson, Barnes
Arndt	Haag	Ostgulen
Baumgartner	Halcrow	Pyle
Belzer	Halvorson	Rohrer
Benno	Haugen	Sailer
Bjella	Haugland	Sandness
Blair	Heckman	Saumur
Bolmeier	Hegge	Schmalenberger
Boucher	Herk	Schmidt, Logan
Brady	Hofstrand	Schmidt, Morton
Bubel	Hogoboom	Schnell
Bureau	Hovey	Schwartz
Bymers	Isaak	Seibel
Callahan	Jennings	Sellens

Collette	Johnson, Richland	Sharpe
Crockett	Klefstad	Shockman
Dalzell	Langley	Smart
Devlin	Larson	Stair
Dittmer	Levin	Still
Drawz	Lillehaugen	Thompson, Griggs
Drovdal	Lindberg	Thompson, Richl'nd
Ekren	Luick	Tuff
Engel	McInnes	Welk
Esterby	Maher	Westby
Falconer	Moe	Wolf, McIntosh
Fitch	Moerke	Wolf, Morton
Fleck	Mollet	Wollitz
Forseth	Monson	Yirchott
Frank	Mork	Mr. Speaker
Those voting in the negative were:		
Schimke	Stanley	Stormon
Schlafmann	Sticka	Symington
Severson		
Absent and not voting:		
Bagge	Johnson, Cass	Olson, Bowman
Grenier	Leet	Skaar
Hildre	Lysne	Wambheim

So the bill passed as amended and the title was agreed to.

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certificates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 22; absent and not voting, 11.

Those voting in the affirmative were:		
Acheson	Haag	Olson, Barnes
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Haugen	Sailer
Anderson	Haugland	Sandness
Baumgartner	Heckman	Saumur
Belzer	Herk	Schimke
Benno	Hofstrand	Schmidt, Logan
Bjella	Hogoboom	Schmidt, Morton
Blair	Hovey	Schwartz
Brady	Jennings	Seibel
Bubel	Johnson, Richland	Sellens
Burau	Klefstad	Severson
Callahan	Langley	Sharpe
Crockett	Larson	Stair

Dalzell	Levin	Still
Drawz	Lillehaugen	Stormon
Drovdal	Luick	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Richl'nd
Falconer	Moe	Welk
Fitch	Moerke	Westby
Fleck	Mollet	Wolf, McIntosh
Forseth	Mork	Wolf, Morton
Frank	Mortenson	Wollitz
Fraser	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker
Graham		

Those voting in the negative were:

Arndt	Halvorson	Schlafmann
Bolmeier	Hegge	Schmalenberger
Boucher	Isaak	Schnell
Bymers	Lindberg	Shockman
Collette	Monson	Stanley
Devlin	Ostgulen	Sticka
Dittmer	Pyle	Tuff
Esterby		

Absent and not voting:

Bagge	Johnson, Cass	Skaar
Fuglestad	Leet	Smart
Grenier	Lysne	Wambheim
Hildre	Olson, Bowman	

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

Rep. Olson of Barnes moved that the vote by which House Bill No. 44 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certificates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

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

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 52. A Bill for an Act Amending and Re-enacting Section 28-3208 of the North Dakota Revised Code

of 1943, Relating to Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Graham	Ohnstad
Allen, Grand Forks	Fraser	Ostgulen
Allen, Pierce	Fuglestad	Pyle
Anderson	Haag	Rohrer
Arndt	Halcrow	Sailer
Baumgartner	Halvorson	Schimke
Belzer	Haugen	Schlafmann
Benno	Haugland	Schmalenberger
Bjella	Heckman	Schmidt, Logan
Blair	Hegge	Schmidt, Morton
Bolmeier	Herk	Schwartz
Boucher	Hogoboom	Seibel
Brady	Hovey	Sellens
Bubel	Isaak	Severson
Burau	Jennings	Sharpe
Bymers	Johnson, Richland	Shoekman
Callahan	Klefstad	Smart
Collette	Langley	Stair
Crockett	Larson	Stanley
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	McInnes	Thompson, Griggs
Ekren	Maher	Thompson, Rich'nd
Engel	Moe	Tuff
Esterby	Moerke	Welk
Falconer	Mollet	Westby
Fitch	Monson	Wolf, McIntosh
Fleck	Mork	Wolf, Morton
Forseth	Mortenson	Wollitz
Frank	Nystrom	Mr. Speaker
Gainor		

Absent and not voting:

Bagge	Leet	Saumur
Grenier	Lysne	Schnell
Hildre	Olson, Barnes	Skaar
Hofstrand	Olson, Bowman	Wambheim
Johnson, Cass	Sandness	Yirchott

So the bill passed as amended and the title was agreed to.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 27-0602 of the North Dakota Revised Code of 1943 Providing for the Salary and Expenses of Court Reporters.

Was read the second time.

## ROLL CALL

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

Those voting in the affirmative were:

Acheson	Graham	Pyle
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Baumgartner	Haugland	Schimke
Belzer	Heckman	Schlafmann
Benno	Hegge	Schmalenberger
Blair	Herk	Schmidt, Logan
Bolmeier	Hofstrand	Schmidt, Morton
Boucher	Hogoboom	Schnell
Brady	Hovey	Schwartz
Bubel	Isaak	Seibel
Bureau	Jennings	Sellens
Bymers	Johnson, Richland	Severson
Callahan	Klefstad	Sharpe
Collette	Langley	Shockman
Crockett	Larson	Smart
Dalzell	Levin	Stair
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Luick	Still
Drovdal	McInnes	Stormon
Ekren	Maher	Symington
Engel	Moe	Thompson, Griggs
Esterby	Moerke	Thompson, Richl'nd
Falconer	Mollet	Tuff
Fitch	Monson	Welk
Fleck	Mork	Westby
Forseth	Mortenson	Wolf, McIntosh
Frank	Nystrom	Wolf, Morton
Fraser	Ohnstad	Wollitz
Fuglestad	Ostgulen	Mr. Speaker
Gainor		

Absent and not voting:

Bagge	Johnson, Cass	Olson, Bowman
Bjella	Leet	Skaar
Grenier	Lysne	Wambheim
Hildre	Olson, Barnes	Yirchott

So the bill passed as amended and the title was agreed to.

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 96; nays, 2; absent and not voting, 14.

Those voting in the affirmative were:

Acheson	Graham	Rohrer
Allen, Grand Forks	Haag	Sailer
Allen, Pierce	Halcrow	Sandness
Anderson	Halvorson	Saumur
Arndt	Haugen	Schimke
Baumgartner	Haugland	Schlafmann
Belzer	Heckman	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Hovey	Schwartz
Boucher	Isaak	Seibel
Brady	Jennings	Sellens
Bubel	Langley	Severson
Burau	Larson	Sharpe
Bymers	Leet	Shockman
Callahan	Levin	Smart
Collette	Lillehaugen	Stair
Crockett	Lindberg	Stanley
Dalzell	Luick	Sticka
Devlin	McInnes	Still
Dittmer	Maher	Stormon
Drawz	Moe	Symington
Drovdal	Moerke	Thompson, Griggs
Ekren	Mollet	Thompson, Richl'nd
Esterby	Monson	Tuff
Falconer	Mork	Welk
Fitch	Mortenson	Westby
Forseth	Nystrom	Wolf, McIntosh
Fraser	Ohnstad	Wolf, Morton
Fuglestad	Ostgulen	Wollitz
Gainor	Pyle	Mr. Speaker

Those voting in the negative were:

Engel Frank

Absent and not voting:

Bagge	Johnson, Cass	Olson, Bowman
Fleck	Johnson, Richland	Skaar
Grenier	Klefstad	Wambheim
Hegge	Lysne	Yirchott
Hildre	Olson, Barnes	

So the bill passed as amended and the title was agreed to.

Rep. Welk moved that the vote by which House Bill No. 65 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 28. A Bill for an Act Making an Appro-

- appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Diseased Veterans, and Declaring an Emergency.

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of Fraine Barracks in Burleigh County, North Dakota; Providing for Method of Disbursement, and Declaring an Emergency.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

Senate Bill No. 91. A Bill for an Act Making an Appropriation for the Use of the North Dakota Post-War Planning Board.

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

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

W. J. TROUT, Secretary.

## SECOND READING OF HOUSE BILLS

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-enacting, Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota



Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0608, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 73; nays, 23; absent and not voting, 16.

Those voting in the affirmative were:

Acheson	Haugen	Sandness
Baumgartner	Haugland	Saumur
Belzer	Hegge	Schimke
Benno	Hofstrand	Schlafmann
Bjella	Hovey	Schmalenberger
Boucher	Jennings	Schmidt, Logan
Bubel	Johnson, Richland	Schmidt, Morton
Bymers	Klefstad	Schnell
Callahan	Langley	Schwartz
Crockett	Larson	Seibel
Devlin	Leet	Sellens
Dittmer	Levin	Severson
Drovdal	Lillehaugen	Shockman
Engel	Lindberg	Smart
Esterby	Maher	Stair
Falconer	Moerke	Stanley
Fitch	Mollet	Sticka
Fleck	Monson	Still
Forseth	Mork	Stormon
Frank	Mortenson	Thompson, Griggs
Fraser	Nystrom	Tuff
Graham	Ohnstad	Welk
Haag	Ostgulen	Wolf, Morton
Halcrow	Rohrer	Mr. Speaker
Halvorson		

Those voting in the negative were:

Allen, Grand Forks	Dalzell	Sailer
Allen, Pierce	Heckman	Sharpe
Arndt	Herk	Symington
Blair	Hogboom	Thompson, Rich'nd
Bolmeier	Isaak	Westby
Brady	Luick	Wolf, McIntosh
Bureau	Moe	Wollitz
Collette	Pyle	

Absent and not voting:

Anderson	Grenier	Olson, Barnes
Bagge	Hildre	Olson, Bowman

Drawz	Johnson, Cass	Skaar
Ekren	Lysne	Wambheim
Fuglestad	McInnes	Yirchott
Gainor		

So the bill passed and the title was agreed to.

Rep. Forseth moved that the vote by which House Bill No. 79 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 81; nays, 14; absent and not voting, 17.

Those voting in the affirmative were:

Acheson	Graham	Pyle
Allen, Grand Forks	Halvorson	Rohrer
Allen, Pierce	Haugen	Sailer
Arndt	Haugland	Sandness
Baumgartner	Heckman	Saumur
Belzer	Hegge	Schlafmann
Benno	Herk	Schmalenberger
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Hovey	Schwartz
Boucher	Isaak	Sellens
Bubel	Jennings	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Collette	Langley	Smart
Crockett	Levin	Stair
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Engel	Luick	Still
Esterby	Moe	Stormon
Falconer	Moerke	Thompson, Griggs
Fitch	Mollet	Thompson, Richl'nd
Fleck	Monson	Tuff
Forseth	Mork	Westby
Frank	Nystrom	Wolf, Morton
Fraser	Ohnstad	Wollitz
Fuglestad	Ostgulen	Mr. Speaker

Those voting in the negative were:

Anderson	Haag	Schmidt, Logan
Brady	Halcrow	Symington
Burau	Larson	Welk
Dalzell	Mortenson	Wolf, McIntosh
Drovdal	Schimke	

Absent and not voting:

Bagge	Johnson, Cass	Olson, Bowman
Drawz	Leet	Seibel

Ekren	Lysne	Skaar
Gainor	McInnes	Wambheim
Grenier	Maher	Yirchott
Hildre	Olson, Barnes	

So the bill passed and the title was agreed to.

Rep. Westby moved that the vote by which Senate Bill No. 45 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Forseth, Esterby and Haugland introduced:

House Bill No. 130. A Bill for an Act Providing for the Payment of Maintenance by the Board of University and School Lands, to the Respective Taxing Sub-divisions, on All Real Estate Held by It, Other Than Original Land Grants, and Other Than Institutional Property, Out of Funds, Exclusive of Interest and Income from Grant Lands, and Specifying Time and Manner of Payment.

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

Reps. Forseth, Esterby and Fraser introduced:

House Bill No. 131. A Bill for an Act Providing the Rate of Income Tax on Individuals; and Amending and Re-enacting Section 57-3829 of the North Dakota Revised Code of 1943.

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

Reps. Forseth, Esterby and Fraser introduced:

House Bill No. 132. A Bill for an Act Providing Income Tax Exemptions for Individuals; and Amending and Re-enacting Section 57-3826 of the North Dakota Revised Code for 1943.

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

Reps. Forseth and Esterby introduced:

House Bill No. 133. A Bill for an Act Levying a Tax Upon Net Profits Derived from the Sale or Other Disposition of Agricultural Lands During the Years of 1945 to 1952, Inclusive, for the Purpose of Providing Revenues to Defray the General Expenses of the State Government, Making All Provisions of Section 57-3801 to 57-3857, Both Inclusive, of the North Dakota Revised Code of 1943, Not Inconsistent Herewith, Pertaining to Defining of Terms and Administrative Procedure for the Assessment and Collection of State Income Taxes, Applicable to Such Tax, Providing Penalties for the Violation of the Provisions of This Act, and Declaring an Emergency.

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

Reps. Forseth, Esterby, Fraser, Acheson and Haugland introduced:

House Bill No. 134. A Bill for an Act Specifying the Term, Interest and Payment of Farm Loans Made by the Commissioner of University and School Lands; and Amending and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

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

Reps. Ohnstad and Johnson of Richland introduced:

House Bill No. 135. A Bill for an Act to Provide for the Determination of the Estate Tax Liability in Cases Where Property, Real or Personal, Is Held in Joint Tenancy and One of the Joint Tenants Dies Without Probate of His Estate in This State; Providing the Procedure for the Determination of Such Tax by the State Tax Commissioner, the Judicial Review Thereof, and for Recording a Certificate of the Tax Commissioner Upon Payment of Such Tax or Where There Is No Tax.

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

Rep. Graham introduced:

House Bill No. 136. A Bill for an Act to Repeal Sub-section 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

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

The Committee on Appropriations introduced:

House Bill No. 137. A Bill for an Act to Amend and Re-enact Sections 38-0314 and Sections 38-0404 and Repealing Section 38-0405 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

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

The Committee on Appropriations introduced:

House Bill No. 138. A Bill for an Act to Amend and Re-enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

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

The Committee on Appropriations introduced:

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

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

The Committee on Appropriations introduced:

House Bill No. 140. A Bill for an Act to Amend and Re-enact Section 20-1507 of the North Dakota Revised Code of 1943 Relating to Disposition of Amounts Received From Sale of Rattlesnake Tails and Rattles.

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

The Committee on Appropriations introduced:

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

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

The Committee on Appropriations introduced:

House Bill No. 142. A Bill for an Act to Amend and Re-enact Section 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

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

Reps. Bjella, Haag, Heckman, Johnson of Cass, Lillehaugen, Severson, Smart and Wambheim introduced:

House Bill No. 143. A Bill for an Act to Create a State Survey Board for Survey and Supervision of Mental Deficiency and Designating the Three Appointive Members of the Board of Administration as Such Board; Providing for Its Organization and Headquarters; Prescribing Its Powers and Duties; Providing for a County Survey Board for Mental Deficiency and Designating the Commissioners of Insanity as Such Board, and Prescribing Its Powers and Duties; Defining Mental Deficiency; Providing for the Furnishing of Certain Information by Institutions, Boards of Education, Teachers, School Principals and Superintendents, Doctors, Nurses, Hospitals, County Health Officers, County Welfare Boards and State Boards and Commissions; Providing for a List of Mentally Deficient Persons to Be Furnished all County Judges; Prohibiting the Issuance of Marriage Licenses to Mentally Deficient Persons and Providing a Penalty for the Violation Thereof; Providing for Certain Exceptions; Providing for the Right of Appeal to the District Courts in Case of Refusal to Issue Marriage License and Prescribing the Time for Such Appeal; Repealing all Statutes in Direct Conflict with the Provisions Hereof; and Making an Appropriation Therefor.

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

The Committee on Rules introduced:

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

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

Reps. Fitch and Ohnstad introduced:

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

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

Reps. Fitch, Sailer, Crockett and Schimke introduced:

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

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

Reps. Forseth and Esterby introduced:

House Concurrent Resolution "I." That the Following Proposed Amendment to the Constitution of the State of North Dakota Is Agreed to and the Same Be Submitted to

the Qualified Voters of the State for Approval or Rejection, in Accordance with the Provisions of Section 202 of the Constitution of the State of North Dakota, as Amended.

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

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

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

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

Senate Bill No. 30. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

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

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

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

Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Diseased Veterans, and Declaring an Emergency.

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

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of Fraire Barracks in Burleigh County, North Dakota; Providing for Method of Disbursement, and Declaring an Emergency.

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

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

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

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

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

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

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

Senate Bill No. 91. A Bill for an Act Making an Appropriation for the Use of the North Dakota Post-War Planning Board.

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

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

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

Rep. Smart moved that House Bill No. 143 be withdrawn for the purpose of submitting it to the Delayed Bills Committee, which motion prevailed.

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

KENNETH L. MORGAN, Chief Clerk.

THIRTY-SECOND DAY AFTER RECESS  
AND THIRTY-THIRD DAY

Bismarck, February 3, 1945

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

## REPORTS OF STANDING COMMITTEES

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

In line two of the title of the re-engrossed bill after the word "re-enacting" strike the remainder of the line, all of line three and line four to and including the word "as".

In line five of the title after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line six of the title after the word "child" strike the remainder of the line, all of line seven and line eight to and including the word "as" and insert in lieu thereof the word "Section" also in line eight after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the words "North Dakota Revised Code of 1943".

In line ten of the title after the word "retroactive;" strike the remainder of the line, all of line eleven, and line twelve to and including the word "as" and insert in lieu thereof the word "Section" also in line twelve after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line thirteen of the title after the word "compensation:" strike the remainder of the line, all of line fourteen and all of line fifteen and insert in lieu thereof the following word "Section".

In line sixteen after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line seventeen of the title after the word "disability;" strike the remainder of the line, all of line eighteen and line nineteen to and including the word "as" and insert in lieu thereof the word "Section" also in line nineteen after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".



In line twenty of the title after the word "benefits;" strike the remainder of the line, all of line twenty-one and line twenty-two to and including the word "as".

In line twenty-three after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line twenty-four of the title after the word "employee;" strike the remainder of the line, all of twenty-five and line twenty-six to and including the word "as" and insert in lieu thereof the word "Section", also in line twenty-six after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line twenty-seven of the title after the word "settlements;" strike the remainder of the line, all of line twenty-eight, and line twenty-nine to and including the word "as" and insert in lieu thereof the word "Section", also in line twenty-nine after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line 30 of the title after the word "section", strike the remainder of the line, all of line thirty-one and line thirty-two to and including the word "as", also in line thirty-two after the words "of the" strike the figures "1943" and the word "Code" and insert the following words in lieu thereof "North Dakota Revised Code of 1943".

In line one of the re-engrossed bill after the word "That" strike the remainder of the line, all of line two, all of line three and line four to and including the word "as" also in line four after the words "of the" strike the figures "1943" and the word "Code" in line five and insert in lieu thereof the following words "North Dakota Revised Code of 1943". In line twenty-four of the bill after the word "That" strike the remainder of the line, all of line twenty-five, all of line twenty-six and the word "as" in line twenty-seven and insert in lieu thereof the word "Section", also in line twenty-seven after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line forty-four after the word "That" strike the remainder of the line, all of line forty-five, all of line forty-six and the word "as" in line forty-seven and insert in lieu thereof the word "Section", also in line forty-seven after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line fifty-four of the bill after the word "That" strike the remainder of the line, all of line fifty-five, all of line fifty-six and the word "as" in sub-line fifty-six a, and insert in lieu thereof the word "Section", also in sub-line fifty-six a, after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line seventy-one of the bill after the word "That" strike the remainder of the line, all of line seventy-two, all of line seventy-three and the word "as" in line seventy-four and insert in lieu thereof the word "Section" also in line seventy-

four after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line one hundred fifty-one of the bill after the word "That" strike the remainder of the line, all of line one hundred fifty-two, all of line one hundred fifty-three and line one hundred fifty-four to and including the word "as", also in line one hundred fifty-four after the figures "65-0517", and before the word "is" insert the following words "North Dakota Revised Code of 1943".

In line one hundred ninety-two of the bill after the word "That" strike the remainder of the line, all of line one hundred ninety-three, all of line one hundred ninety-four and the word "as" in line one hundred ninety-five and insert in lieu thereof the word "Section", also in line one hundred ninety-five after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line two hundred twenty-one of the bill after the word "That" strike the remainder of the line, all of line two hundred twenty-two, all of line two hundred twenty-three and line two hundred twenty-four to and including the word "as" and insert in lieu thereof the word "Section", also in line two hundred twenty-four after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line two hundred thirty-one after the word "section" strike the remainder of the line, all of line two hundred thirty-two and line two hundred thirty-three to and including the word "as".

In line two hundred thirty-four after the word "the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943", and renumber the lines as required.

And when so amended recommend the same do pass.

REP. BOLMEIER, Chairman.

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

Mr. Speaker: Your Committee on School and Public Lands to whom was referred House Bill No. 88, have had the same under consideration and recommend that the same do pass.

REP. SANDNESS, Chairman.

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

Mr. Speaker: Your Committee on School and Public Lands to whom was referred House Bill No. 72, have had the same under consideration and recommend that the same do pass.

REP. SANDNESS, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 91, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Bolmeier moved that House Bill No. 91 be re-referred to the Committee on State Affairs, which motion prevailed.

Rep. Blair moved that the Board of Administration be instructed to complete the installation of shields on the ventilators of the house desks, which motion prevailed.

The Speaker appointed Rep. Blair as a Committee of One to confer with the Board of Administration regarding the desk shields.

#### FIRST READING OF HOUSE BILLS

Rep. Fleck introduced:

House Bill No. 146. A Bill for an Act to Make Financial Assistance Possible Through the Assignment of Accounts Receivable and Amounts Due on Open Accounts or Contracts, Whether or Not the Debtors Thereon Are Notified of Such Assignments, Providing for the Rights of Such Debtors and Providing That Non-notification Shall Not Affect or Impair Such Assignments.

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

The Committee on Temperance introduced:

House Bill No. 147. A Bill for an Act Relating to the Sale of Intoxicating Liquor to Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

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

Reps. Forseth and Esterby introduced:

House Bill No. 148. A Bill for an Act Limiting the Amount of Bonds Issued and Outstanding, and Providing for the Payment of Administration Charge to the Bank of North Dakota; Amending and Re-enacting Section 54-3028 of the North Dakota Revised Code of 1943.

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

Reps. Forseth and Esterby introduced:

House Bill No. 149. A Bill for an Act Providing for the Payment of Maintenance by the Industrial Commission, to the Respective Taxing Sub-divisions, Exclusive of Institutional Property, and Specifying the Time and Manner of Payment.

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

Reps. Forseth and Esterby introduced:

House Bill No. 150. A Bill for an Act Permitting the Bank of North Dakota to Transfer Funds to Other State Departments, to Make Loans and Extend Credit Under Limitations, and Providing Method of Obtaining Additional Funds; Amending and Re-enacting Section 6-0915 of the North Dakota Revised Code of 1943.

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

Reps. Bjella, Haag, Heckman, Johnson of Cass, Lillehaugen, Severson, Smart and Wambheim introduced:

House Bill No. 151. A Bill for an Act to Create a State

Survey Board for Survey and Supervision of Mental Deficiency and Designating the Three Appointive Members of the Board of Administration as Such Board; Providing for Its Organization and Headquarters; Prescribing Its Powers and Duties; Providing for a County Survey Board for Mental Deficiency and Designating the Commissioners of Insanity as Such Board, and Prescribing Its Powers and Duties; Defining Mental Deficiency; Providing for the Furnishing of Certain Information by Institutions, Boards of Education, Teachers, School Principals and Superintendents, Doctors, Nurses, Hospitals, County Health Officers, County Welfare Boards and State Boards and Commissions; Providing for a List of Mentally Deficient Persons to Be Furnished All County Judges; Prohibiting the Issuance of Marriage Licenses to Mentally Deficient Persons and Providing a Penalty for the Violation Thereof; Providing for Certain Exceptions; Providing for the Right of Appeal to the District Courts in Case of Refusal to Issue Marriage License and Prescribing the Time for Such Appeal; Repealing All Statutes in Direct Conflict With the Provisions Hereof; and Making an Appropriation Therefor.

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

Reps. Ohnstad and Pyle introduced:

House Bill No. 152. A Bill for an Act Amending and Re-enacting Section 40-0706 of the North Dakota Revised Code of 1943 Relating to Compensation of Village Trustees, and Declaring an Emergency.

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

Rep. Johnson of Cass introduced:

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State; Creating an Emergency.

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

Rep. Fleck (by request) introduced:

House Bill No. 154. A Bill for an Act Amending and Re-enacting Section 54-0609 of the North Dakota Revised Code of 1943 Relating to Mileage and Travel Expense of State Officers and Employees; and Declaring an Emergency.

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

Rep. Sellens introduced:

House Bill No. 155. A Bill for an Act to Amend and Re-enact Sections 43-1208, 43-1213, and 43-1215, North Dakota Revised Code of 1943, Relating to the Registration and Accrediting of Schools of Nursing, Prescribing the Courses of Instruction in the Subjects to Be Taught Therein, and for the Examination and Registration of Graduated Nurses.

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

Rep. Johnson of Cass introduced:

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use of the Attorney General in Administering the Provisions of Said Act During the Biennium Ending June 30, 1947, Providing That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act; Creating an Emergency.

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

Reps. Thompson of Richland and Wollitz introduced:

House Bill No. 157. A Bill for an Act to Repeal Section 57-0903 North Dakota Revised Code of 1943.

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

Reps. Luick, Wollitz and McInnes introduced:

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

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

The Committee on Insurance introduced:

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

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

Reps. Smart, Fleck, Saumur and Brady introduced:

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Raising the Limit of Said Holdings From the Sum of \$500,000 to \$800,000; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

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

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

Speaker Bergesen: We are favored today by the presence of Rev. Tibbets, Indian Congregational Minister at Cannon Ball, North Dakota. I have asked Rev. Tibbets to do something which is out of the ordinary in the usual proceedings but I think would be very fitting and that is, before we have the motion to adjourn, that he announce the benediction for the close of our legislative day. Rev. Tibbets.

Benediction by Rev. Tibbets.

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

KENNETH L. MORGAN, Chief Clerk.

## THIRTY-THIRD DAY

Bismarck, February 3, 1945

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

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

Roll call: All members present except Reps. Olson of Bowman, Bagge, Benno, Brady, Drawz, Ekren, Forseth, Fraser, Grenier, Haugen, Hildre, Isaak, Jennings, Johnson of Cass, Johnson of Richland, Klefstad, Lysne, Maher, Olson of Barnes, Seibel, Severson, Skaar, Stair, Wambheim, Wollitz and Yirchott.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 3, 1945

Mr. Speaker: I have the honor to transmit:

House Bill No. 24. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

House Bill No. 52. A Bill for an Act Amending and Re-enacting Section 28-3208 of the North Dakota Revised Code of 1943, Relating to Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 27-0602 of the North Dakota Revised Code of 1943 Providing for the Salary and Expenses of Court Reporters.

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-enacting, Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to, Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating

to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0603, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.

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

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 3, 1945

Mr. President: I have the honor to return:

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

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

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

Under "First Reading of House Bills" on page 269 after the title of House Bill No. 123 insert the following: "Was read the first time and referred to the Committee on Education".

In line 6 from the bottom of page 281 strike out the word "and" insert a "comma" and after the name "Acheson" add "and Haugland".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

#### SECOND READING OF HOUSE BILLS

House Bill No. 59. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registration and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 0; absent and not voting, 33.

Those voting in the affirmative were:

Acheson	Halvorson	Saumur
Allen, Grand Forks	Haugland	Schimke
Allen, Pierce	Heckman	Schlafmann
Anderson	Herk	Schmalenberger

Baumgartner	Hogoboom	Schmidt, Logan
Belzer	Langley	Schmidt, Morton
Bjella	Larson	Schnell
Blair	Leet	Schwartz
Bolmeier	Levin	Sellens
Bubel	Lillehaugen	Severson
Bureau	Lindberg	Sharpe
Bymers	Luick	Shockman
Callahan	McInnes	Smart
Collette	Moe	Stanley
Crockett	Moerke	Sticka
Dalzell	Mollet	Still
Devlin	Monson	Stormon
Dittmer	Mork	Symington
Drovdal	Mortenson	Thompson, Griggs
Esterby	Nystrom	Thompson, Richl'nd
Falconer	Ohnstad	Tuff
Fleck	Ostgulen	Welk
Fuglestad	Pyle	Westby
Graham	Rohrer	Wolf, McIntosh
Haag	Sailer	Wolf, Morton
Halcrow	Sandness	Mr. Speaker
Hofstrand		

## Absent and not voting:

Arndt	Fraser	Klefstad
Bagge	Gainor	Lysne
Benno	Grenier	Maher
Boucher	Haugen	Olson, Barnes
Brady	Hegge	Olson, Bowman
Drawz	Hildre	Seibel
Ekren	Hovey	Skaar
Engel	Isaak	Stair
Fitch	Jennings	Wambheim
Forseth	Johnson, Cass	Wollitz
Frank	Johnson, Richland	Yirchott

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

Rep. Bubel requested the unanimous consent of the House to amend House Bill No. 76 by inserting the words "and re-enacted" in line 3 after the word "amended".

Rep. Saumur moved that the consent of the House be granted, which motion prevailed.

Rep. Bubel moved that House Bill No. 76 be amended as follows: in line 3 after the word "amended" insert the words "and re-enacted", which motion prevailed.

Rep. Bubel moved that the rules be suspended and House Bill No. 76 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

Was read the second time.



## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 0; absent and not voting, 33.

Those voting in the affirmative were:

Acheson	Halcrow	Sailer
Allen, Grand Forks	Halvorson	Sandness
Allen, Pierce	Haugland	Schimke
Anderson	Heckman	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hofstrand	Schmidt, Logan
Bjella	Hogoboom	Schmidt, Morton
Blair	Langley	Schnell
Bolmeier	Larson	Schwartz
Bubel	Leet	Sellens
Burau	Levin	Severson
Bymers	Lillehaugen	Shockman
Callahan	Lindberg	Smart
Collette	Luick	Stanley
Crockett	McInnes	Sticka
Dalzell	Moe	Still
Devlin	Moerke	Stormon
Dittmer	Mollet	Symington
Drovdal	Monson	Thompson, Griggs
Esterby	Mork	Thompson, Richl'nd
Falconer	Mortenson	Tuff
Fitch	Nystrom	Welk
Fleck	Ohnstad	Westby
Fuglestad	Ostgulen	Wolf, McIntosh
Gainor	Pyle	Wolf, Morton
Graham	Rohrer	Mr. Speaker
Haag		

Absent and not voting:

Arndt	Grenier	Maher
Bagge	Haugen	Olson, Barnes
Benno	Hegge	Olson, Bowman
Boucher	Hildre	Saumur
Brady	Hovey	Seibel
Drawz	Isaak	Sharpe
Ekren	Jennings	Skaar
Engel	Johnson, Cass	Stair
Forseth	Johnson, Richland	Wambheim
Frank	Klefstad	Wollitz
Fraser	Lysne	Yirchott

So the bill passed as amended and the title was agreed to.

Rep. Fitch moved that action on Senate Bill No. 75 be deferred until Wednesday after two o'clock, which motion prevailed.

Rep. Leet requested the unanimous consent of the House to amend House Bill No. 77 by inserting the words "and re-enacted" after the word "amended" in line 3.

Rep. Allen of Grand Forks moved that the unanimous consent of the House be granted, which motion prevailed.

Rep. Leet moved that House Bill No. 77 be amended as follows: in line 3 after the word "amended" insert the words "and re-enacted", which motion prevailed.

Rep. Sellens requested the unanimous consent of the House

to further amend House Bill No. 77 by striking out the word "of" in line 9 and inserting in lieu thereof the word "and".

Rep. Sailer moved that the unanimous consent of the House be granted, which motion prevailed.

Rep. Sellens moved that House Bill No. 77 be further amended as follows: Strike out the word "of" in line 9 and insert in lieu thereof the word "and", which motion prevailed.

Rep. Leet moved that the rules be suspended and House Bill No. 77 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 0; absent and not voting, 32.

Those voting in the affirmative were:

Acheson	Halcrow	Sandness
Allen, Grand Forks	Halvorson	Schimke
Allen, Pierce	Haugland	Schlafmann
Anderson	Heckman	Schmalenberger
Baumgartner	Herk	Schmidt, Logan
Belzer	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schnell
Blair	Langley	Schwartz
Bolmeier	Larson	Sellens
Bubel	Leet	Severson
Bureau	Levin	Sharpe
Bymers	Lillehaugen	Shockman
Callahan	Lindberg	Smart
Collette	Luick	Stanley
Dalzell	McInnes	Sticka
Devlin	Moe	Still
Dittmer	Moerke	Stormon
Drovdal	Mollet	Symington
Esterby	Monson	Thompson, Griggs
Falconer	Mork	Thompson, Richland
Fitch	Mortenson	Tuff
Fleck	Nystrom	Welk
Fraser	Ohnstad	Westby
Fuglestad	Ostgulen	Wolf, McIntosh
Gainor	Pyle	Wolf, Morton
Graham	Rohrer	Mr. Speaker
Haag	Sailer	

Absent and not voting:

Arndt	Grenier	Maher
Bagge	Haugen	Olson, Barnes
Benno	Hegge	Olson, Bowman
Bucher	Hildre	Saumur
Brady	Hovey	Seibel
Crockett	Isaak	Skaar
Drawz	Jennings	Stair
Ekren	Johnson, Cass	Wambheim
Engel	Johnson, Richland	Wollitz

Forseth  
Frank

Klefstad  
Lysne

Yirchott

So the bill passed as amended and the title was agreed to.

Rep. Fitch moved that action on Bills now in General Orders be deferred until Monday, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Anderson, Halcrow, Schwartz and Sandness introduced:

House Bill No. 161. A Bill for an Act to Amend and Re-enact Subsection 3, Section 39-1204 of the Revised Code of North Dakota for 1943, Relating to Length Limitations on Motor Vehicles.

Was read the first time and referred to the Committee on Highways and Bridges.

Reps. Anderson, Halcrow, Schwartz and Sandness introduced:

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised Code of North Dakota for 1943, Relating to the Registration of Motor Trucks, Truck-tractors, Trailers and Semi-trailers on a Gross Weight Basis.

Was read the first time and referred to the Committee on Highways and Bridges.

Reps. Symington and Dalzell introduced:

House Bill No. 163. A Bill for an Act Repealing That Initiated Measure, Adopted at the November 7, 1944 General Election and Entitled, "An Act to Secure for the State of North Dakota the Benefits of Federal Funds and Grants in Aid of the Construction and Reconstruction of Public Highways and Bridges, Including Feeder Highways and Bridges, Authorizing the State Highway Department to Prepare a Highway Construction Program to Be Financed by the Issuance and Sale, in the Name of the State Highway Department, of State Highway Revenue Anticipation Certificates in an Aggregate Amount Not Exceeding \$12,360,000.00 Par Value, Bearing Interest at Not More Than Three Per Cent Per Annum, Payable Semiannually, Providing for the Sale of Such Certificates at Not Less Than Par and Accrued Interest, Subject to Call, Authorizing the Purchase Thereof and Investment Therein by the Bank of North Dakota, State Banks, Public Officers, Boards, Bureaus and Institutions, and the Acceptance Thereof as Security for Public Deposits, Directing the Payment of the Proceeds of Such Sale Into the State Highway Special Construction Fund Hereby Created and the Use Thereof in Affecting the Said Highway Construction Program, Providing for the Retirement of Such Certificates in Twenty Annual Installments, Imposing a One Cent Per Gallon Motor Vehicle Fuel Tax Upon all Dealers in Motor Vehicle Fuels, Excepting Only Motor Vehicle Fuels Sold and Used Solely for Agricultural and Industrial Purposes, Creating the State Highway Revenue Anticipation Certificate Retirement Fund Into Which the Said Motor Vehicle Fuel Tax Shall Be Paid, Authorizing the Transfer Into Such Fund from the State Highway Fund of Such Amounts, Not Exceeding \$250,000.00 in Any One Year, as May Be Required to Meet Any Deficit Resulting from the

Retirement of Said Certificates, and Pledging and Appropriating Such Fund for the Payment of Said Certificates, Prescribing Penalties for the Violation of Any Provision of This Act, Providing a Safety Clause to the Effect That if Any Part of This Act Shall Be Found Invalid It Shall Be Presumed That the Act Would Have Been Enacted Without Such Invalid Section, and Providing for the Repeal of Chapter 263, of the Session Laws of 1943;" and Declaring an Emergency.

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

Reps. Graham and Ohnstad introduced:

House Bill No. 164. A Bill for an Act to Permit a Surviving Husband or Wife to Dissent from the Terms of a Will, and to Elect to Inherit Under the Laws of Succession.

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

Reps. Halcrow, Fuglestad, Sandness and Langley introduced:

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic Beverages from Having Any Financial Interest in the Business of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers from Giving Financial Aid or Furnishing Fixtures or Other Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.

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

Reps. Wolf of McIntosh and McInnes introduced:

House Concurrent Resolution No. 166. Authorizing Imprinting the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

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

Reps. Wolf of McIntosh and McInnes introduced:

House Concurrent Resolution No. 167. Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

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

Reps. Ohnstad and Saumur (by request) introduced:

House Bill No. 168. A Bill for an Act to Define and Regulate the Business of Lending in Amounts of \$1000 or Less and Declaring the Legislative Intent for So Doing; to Authorize the Licensing of Persons Engaged in Such Business; to Permit Such Licensees to Make Other Charges Than Lenders Not Licensed Hereunder; to Prescribe Maximum Rates of Interest and Agreed Charges Which Licensees Are Permitted to Make; to Regulate Assignments of Wages or Salaries, Earned or to Be Earned, When Given as Security for a Loan to a Lender Licensed Under This Act; to Provide for the Administration and Enforcement of This Act and for

the Issuance of Regulations and Orders Therefor; to Authorize the Making of Examinations and Investigations and the Publication of Reports Thereof; to Provide for a Review of Administrative Acts Hereunder; to Prescribe Penalties; and to Repeal All Acts and Parts of Acts Whether General, Special, or Local, Which Relate to the Same Subject Matter as This Act, So Far as They Are Inconsistent with the Provisions of This Act.

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

Reps. Forseth and Esterby introduced:

House Concurrent Resolution "J." Proposed Amendment to the Constitution of the State of North Dakota Regarding the Provisions of Section 202 of the Constitution of the State of North Dakota as Amended, Relating to Creation of Permanent Equalization Fund.

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

Reps. Forseth and Esterby introduced:

House Concurrent Resolution "K." Regarding Service Performed by the Farm Security Administration, in the Rehabilitation of Farmers Upon the Soil.

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

Reps. Forseth and Esterby introduced:

House Concurrent Resolution "L." Proposed Amendment to the Constitution of the State of North Dakota, Relative to Provisions of Section 202 of the Constitution of the State of North Dakota, as Amended, Dealing with Issuance or Payment of Bonds.

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

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 3, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same in the City of Bismarck, North Dakota.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Senate Bill No. 57. A Bill for an Act Defining Isonipeceane and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

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

W: J. TROUT, Secretary.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

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

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

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

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

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

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

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

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same in the City of Bismarck, North Dakota.

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

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Was read the first time and referred to the Committee on Mines and Mining.

Senate Bill No. 57. A Bill for an Act Defining Isonipeceane and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

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

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

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

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

KENNETH L. MORGAN, Chief Clerk.

THIRTY-THIRD DAY AFTER RECESS  
AND THIRTY-FIFTH DAY

Bismarck, February 5, 1945

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

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Elections and Election Privileges, to whom was referred House Bill No. 43, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HOGOBOOM, Acting Chairman.

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

Mr. Speaker: Your Committee on Elections and Election Privileges, to whom was referred House Bill No. 111, have had the same under consideration and recommend that the same do pass.

REP. HOGOBOOM, Acting Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws, to whom was referred House Bill No. 87, have had the same under consideration and recommend that the same be amended as follows:

In line 9 strike out the word "five" and insert in lieu thereof the word "three".

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

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

Rep. Haugen moved that the rules be suspended and that the amendment to House Bill No. 87 as proposed by the Standing Committee be adopted, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 103, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Mollet moved that the report be adopted.

Rep. Moe offered as a substitute motion that House Bill No. 103 do pass. On a voice vote the Chair was in doubt. A rising vote revealed 45 voting for and 40 voting against so the motion of Rep. Moe prevailed and House Bill No. 103 was placed on the calendar.



Rep. Fitch moved that a committee of three be appointed to investigate the question of a new loud-speaking system and report back to the House as soon as possible, which motion prevailed.

The Speaker appointed Reps. Fitch, Luick and Lindberg.

Rep. McInnes requested the unanimous consent of the House to withdraw House Concurrent Resolutions Nos. 166 and 167, which request was granted and House Concurrent Resolutions Nos. 166 and 167 were withdrawn.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 66, have had the same under consideration and recommend that the same be amended as follows:

Line 11—After the word "State" insert the word "of".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Johnson of Cass moved that the rules be suspended and that the amendment as recommended by the Standing Committee to House Bill No. 66 be adopted and House Bill No. 66 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 26, have had the same under consideration and recommend that the same be amended as follows:

Line 7—After the words "as provided by" strike out the words and figures "Chapter 7, Session Laws of 1939," and insert in lieu thereof the words and figures "Sections 4-1301 to 4-1314, both inclusive, of the North Dakota Revised Code of 1943,".

Line 17—Strike out the word "Agric." and insert in lieu thereof the word "Agricultural".

Line 25—After the words "provided for in" strike out the words and figures "Chapter 214, Session Laws of 1941." and insert in lieu thereof the words and figures "Sections 48-0601 to 48-0607, both inclusive, of the North Dakota Revised Code of 1943."

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Johnson of Cass moved that the rules be suspended and the amendments to House Bill No. 26 as recommended by the Standing Committee be adopted, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 81, have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures "\$16,400.00" and insert in lieu thereof the figures "\$12,800.00".

Line 5—Strike out the word "Dividion" and insert in lieu thereof the word "Division".

Insert a new line as follows:

"6a Salary—Director .....\$6,000.00"

Line 7—Strike out the figures "\$13,200.00" and insert in lieu thereof the figures "3,900.00".

Line 10—Strike out the figures “400.00” and insert in lieu thereof the figures “100.00”.

Line 11—Strike out the figures “\$12,800.00”.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Smart 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. 82, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Johnson of Cass moved that House Bill No. 82 be considered in connection with House Bill No. 81, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 85, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 41, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 13, have had the same under consideration and recommend that the same be amended as follows:

Lines 2, 3, 4, 5, 6, 7, 8 & 9—Strike out in their entirety and insert in lieu thereof the following:

“2 out of any moneys in the State Treasury, not otherwise

2a appro-

3 priated, the sum of \$40,000.00, or so much thereof as may

3a be

4 necessary into the “Public Utility Valuation Fund” for the

5 payment of the services and expenses incurred by the

5a Public

6 Utility Division of the Public Service Commission for the

7 valuation of public utility property and regulation of rates

8 as provided for by law for the biennium beginning July 1,

9 1945, and ending June 30, 1947, to wit:

10 Services and expenses .....\$40,000.00

11 Total .....\$40,000.00”

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Symington 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 the amendments to House Bill No. 13 as recommended by the Standing Committee be adopted, which motion prevailed.

Mr. Speaker: Your Committee on School and Public Lands,

to whom was referred Senate Bill No. 90, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. SANDNESS, Chairman.

Rep. Sellens moved that the report be adopted.

Rep. Schnell offered as a substitute motion that Senate Bill No. 90 do pass, which motion prevailed.

#### REPORT OF SELECT COMMITTEE

Rep. Blair as Chairman of the Committee on Employment placed in nomination the name of Lucille E. Monroe as stenographer.

#### ROLL CALL

The question being on the employment of Lucille E. Monroe, the roll was called and there were ayes, 95; nays, 2; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Grenier	Rohrer
Allen, Grand Forks	Haag	Sailer
Allen, Pierce	Halcrow	Sandness
Anderson	Halvorson	Schimke
Arndt	Haugland	Schlafmann
Bagge	Heckman	Schmalenberger
Baumgartner	Hegge	Schmidt, Logan
Belzer	Herk	Schmidt, Morton
Bjella	Hildre	Schnell
Blair	Hofstrand	Schwartz
Bolmeier	Hogoboom	Seibel
Bubel	Hovey	Sellens
Burau	Isaak	Severson
Bymers	Jennings	Sharpe
Callahan	Johnson, Cass	Shockman
Collette	Johnson, Richland	Smart
Crockett	Langley	Stair
Dalzell	Larson	Stanley
Devlin	Leet	Sticka
Dittmer	Levin	Still
Drovdal	Lillehaugen	Stormon
Ekren	Lindberg	Symington
Engel	Luick	Thompson, Griggs
Esterby	Maher	Thompson, Richl'nd
Falconer	Moe	Tuff
Fitch	Moerke	Wambheim
Fleck	Monson	Welk
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Yirchott
Gainor	Ostgulen	Mr. Speaker
Graham	Pyle	

Those voting in the negative were:

Haugen Mollet

Absent and not voting:

Benno	Klefstad	Olson, Bowman
Boucher	Lysne	Saumur
Brady	McInnes	Skaar
Drawz	Ohnstad	Westby
Forseth	Olson, Barnes	Wollitz

So Lucille E. Monroe was duly elected.

The Oath of Office was administered to Lucille E. Monroe by the Speaker.

Mr. Chairman: Your Committee on Counties, to whom was referred House Bill No. 115, have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the word "day" on line 14 through the word "day" on line 28—the end of the paragraph.

And when so amended recommend the same do pass.

REP. SMART, Chairman.

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

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

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

KENNETH L. MORGAN, Chief Clerk.

### THIRTY-FIFTH DAY

Bismarck, February 5, 1945

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

Prayer was offered by Rev. George H. Mittag.

Roll call: All members present except Reps. Olson of Bowman, Benno, Boucher, Brady, Forseth, Klefstad, Lysne, Ohnstad, Olson of Barnes, Saumur, Skaar, Westby and Wollitz.

### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 5, 1945

Mr. President: I have the honor to transmit:

House Bill No. 59. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registration and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

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

KENNETH L. MORGAN, Chief Clerk.

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

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

In the Roll Call on House Bill No. 59 on page 295 show Rep. Larson as voting in the affirmative. Also change the report of the Roll Call on page 294 to show 79 ayes, 0 nays.

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 5, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

House Concurrent Resolution "A."

House Concurrent Resolution "E." A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile, Tractor, and Truck Tires for the Farming Industry.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### FIRST READING OF HOUSE BILLS

Reps. Symington, Halcrow and Dalzell introduced:

House Bill No. 169. A Bill for an Act to Provide for the Organization of All the Territory Within an Organized Township as a Special School District Where There Is More Than One School District Within Such Organized Township, and to Provide for the Organization of All Territory Within Organized Townships as a Special School District Where the School District Is Situated in More Than One Organized Township.

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

Rep. Graham introduced:

House Bill No. 170. A Bill for an Act Requiring All Conditional Sale Contracts to Be Executed by Both Husband and Wife, and Providing That Without the Written Consent of the Purchasers Under a Conditional Sale Contract, Property May Be Repossessed Only by Court Action.

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

Rep. Fleck introduced:

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

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

Reps. Thompson of Richland, Wolf of McIntosh and Bagge introduced:

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Highways and Bridges.

Reps. Hofstrand, Sandness, Haugen, Wolf of McIntosh, Bubel and Allen of Pierce introduced:

House Bill No. 173. A Bill for an Act Requiring All Persons, Partnerships, Groups, Associations or Corporations, Soliciting or Receiving Funds from the General Public or from Any Individual, Partnership, Group, Association or Corporation, to Be Used for the Purpose of Promoting, Defeating, or Repeal of Proposed Legislation or Constitutional Amendments, to File with the Secretary of State a Statement of the Amount of Funds Received and Accepted, the Names of Persons, Partnerships, Associations or Corporations from Whom Received; Making Certain Exceptions; Providing Penalties for Violation.

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

Reps. Allen of Grand Forks, Lillehaugen and Burau introduced:

House Bill No. 174. A Bill for an Act to Amend and Re-enact Section 15-3404 of the North Dakota Revised Code of 1943, Relating to Payment of Transportation by School Boards, Repeal.

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

Reps. Fitch, Johnson of Richland and Yirchott introduced:

House Bill No. 175. A Bill for an Act Amending and Re-enacting Sections 39-0609 and 39-0613 of the North Dakota Revised Code of 1943 Relating to Motor Vehicle Operator's License Fees.

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

Reps. Fitch and Crockett introduced:

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 26-0107 of the Revised Codes of North Dakota for 1943 Regarding Examination of Insurance Companies; and Declaring an Emergency.

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

Reps. Brady, Fleck and Sticka introduced:

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

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

Rep. Johnson of Cass introduced:

House Bill No. 178. A Bill for an Act to Amend and Re-enact Section 54-1304 of the North Dakota Revised Code of 1943, Relating to the Examination and Audit of State Departments and Institutions of Higher Education by the Board of Auditors.

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

Reps. Hegge, Mollet, Ostgulen, Leet, Schwartz and Moerke introduced:

House Concurrent Resolution "M." Memorializing the

Congress of the United States to Enact Legislation Permitting the Cancellation of Outstanding Feed and Seed Loans by Payment of Twenty-five Per Cent of the Principal.

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

Reps. Graham and Johnson of Cass introduced:

House Concurrent Resolution "N." A Concurrent Resolution Memorializing the Congress of the United States to Propose an Amendment to the Constitution of the United States of America Limiting the Term of Office of a President of the United States to Not More Than Two Consecutive Terms.

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

Reps. Graham, Bymers, Halcrow and Bolmeier introduced:

House Concurrent Resolution "O." A Concurrent Resolution Memorializing the Congress of the United States to Enact Legislation Placing the Entire Nation Upon Greenwich Time.

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

Rep. Johnson of Richland called the attention of the House to the presence of Mr. C. W. Carey of Lidgerwood, N. D., who served two terms as a member of the House and three terms as a member of the Senate, and moved that he be granted the courtesies of the floor during his stay in Bismarck and that he be escorted to the rostrum at this time, which motion prevailed.

The Speaker requested Rep. Johnson of Richland to escort Mr. Carey to the rostrum.

Mr. Carey was escorted to the rostrum.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 5, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.

Senate Bill No. 22. A Bill for an Act Making an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner.

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

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

W. J. TROUT, Secretary.

#### SECOND READING OF HOUSE BILLS

House Bill No. 72. A Bill for an Act to Amend and Re-enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts

for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Prepayments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugen	Schimke
Bagge	Haugland	Schlafmann
Baumgartner	Heckman	Schmalenberger
Bjella	Hegge	Schmidt, Logan
Blair	Herk	Schmidt, Morton
Bolmeier	Hildre	Schnell
Boucher	Hogoboom	Schwartz
Bubel	Hovey	Seibel
Burau	Isaak	Sellens
Bymers	Jennings	Severson
Callahan	Johnson, Cass	Sharpe
Collette	Johnson, Richland	Shockman
Crockett	Langley	Smart
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Richl'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Frank	Monson	Wolf, McIntosh
Fraser	Mork	Wolf, Morton
Fuglestad	Mortenson	Yirchott
Gainor	Nystrom	Mr. Speaker
Graham	Ostgulen	

Absent and not voting:

Belzer	Klefstad	Saumur
Benno	Larson	Skaar
Brady	Lysne	Stair
Fleck	Ohnstad	Westby
Forseth	Olson, Barnes	Wollitz
Hofstrand	Olson, Bowman	

So the bill passed and the title was agreed to.

Rep. Johnson of Richland moved that House Bill No. 88 be re-referred to the Committee on Judiciary, which motion prevailed.

GENERAL ORDERS

Rep. Bagge moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.



The Speaker called Rep. Bagge to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

Senate Bill No. 38.

In line two of the title of the re-engrossed bill after the word "re-enacting" strike the remainder of the line, all of line three and line four to and including the word "as".

In line five of the title after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line six of the title after the word "child" strike the remainder of the line, all of line seven and line eight to and including the word "as" and insert in lieu thereof the word "Section" also in line eight after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the words "North Dakota Revised Code of 1943".

In line ten of the title after the word "retroactive;" strike the remainder of the line, all of line eleven, and line twelve to and including the word "as" and insert in lieu thereof the word "Section" also in line twelve after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line thirteen of the title after the word "compensation:" strike the remainder of the line, all of line fourteen and all of line fifteen and insert in lieu thereof the following word "Section".

In line sixteen after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line seventeen of the title after the word "disability;" strike the remainder of the line, all of line eighteen and line nineteen to and including the word "as" and insert in lieu thereof the word "Section" also in line nineteen after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line twenty of the title after the word "benefits;" strike the remainder of the line, all of line twenty-one and line twenty-two to and including the word "as".

In line twenty-three after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line twenty-four of the title after the word "employee;" strike the remainder of the line, all of twenty-five and line twenty-six to and including the word "as" and insert in lieu thereof the word "Section", also in line twenty-six after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line twenty-seven of the title after the word "settlements;" strike the remainder of the line, all of line twenty-eight, and line twenty-nine to and including the word "as"

and insert in lieu thereof the word "Section", also in line twenty-nine after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line 30 of the title after the word "section" strike the remainder of the line, all of line thirty-one and line thirty-two to and including the word "as", also in line thirty-two after the words "of the" strike the figures "1943" and the word "Code" and insert the following words in lieu thereof "North Dakota Revised Code of 1943".

In line one of the re-engrossed bill after the word "That" strike the remainder of the line, all of line two, all of line three and line four to and including the word "as" also in line four after the words "of the" strike the figures "1943" and the word "Code" in line five and insert in lieu thereof the following words "North Dakota Revised Code of 1943". In line twenty-four of the bill after the word "That" strike the remainder of the line, all of line twenty-five, all of line twenty-six and the word "as" in line twenty-seven and insert in lieu thereof the word "Section", also in line twenty-seven after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line forty-four after the word "That" strike the remainder of the line, all of line forty-five, all of line forty-six and the word "as" in line forty-seven and insert in lieu thereof the word "Section", also in line forty-seven after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line fifty-four of the bill after the word "That" strike the remainder of the line, all of line fifty-five, all of line fifty-six and the word "as" in sub-line fifty-six a, and insert in lieu thereof the word "Section", also in sub-line fifty-six a, after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line seventy-one of the bill after the word "That" strike the remainder of the line, all of line seventy-two, all of line seventy-three and the word "as" in line seventy-four and insert in lieu thereof the word "Section" also in line seventy-four after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line one hundred fifty-one of the bill after the word "That" strike the remainder of the line, all of line one hundred fifty-two, all of line one hundred fifty-three and line one hundred fifty-four to and including the word "as", also in line one hundred fifty-four after the figures "65-0517", and before the word "is" insert the following words "North Dakota Revised Code of 1943".

In line one hundred ninety-two of the bill after the word "That" strike the remainder of the line, all of line one hundred ninety-three, all of line one hundred ninety-four and the word "as" in line one hundred ninety-five and insert in lieu thereof the word "Section", also in line one hundred ninety-five after the words "of the" strike the figures "1943"

and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line two hundred twenty-one of the bill after the word "That" strike the remainder of the line, all of line two hundred twenty-two, all of line two hundred twenty-three and line two hundred twenty-four to and including the word "as" and insert in lieu thereof the word "Section", also in line two hundred twenty-four after the words "of the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943".

In line two hundred thirty-one after the word "section" strike out the remainder of the line, all of line two hundred thirty-two and line two hundred thirty-three to and including the word "as".

In line two hundred thirty-four after the word "the" strike the figures "1943" and the word "Code" and insert in lieu thereof the following words "North Dakota Revised Code of 1943", and renumber the lines as required.

And when so amended recommend the same do pass.

House Bill No. 99.

In line one of the title of the original bill after the words "of the" and before the word "Revised" insert the following words "North Dakota".

In the last line of the title after the word "River" strike out the "period" and insert in lieu thereof a "comma" and add the following words "and declaring an emergency."

In the first line of the title of the bill after the word "Amend" and before the word "Section" insert the words "And Re-enact". At the beginning of line 1 of the bill insert the following words and numerals: "Section 1. Amendment). That Section 1-0143 of the North Dakota Revised Code of 1943 be Amended and re-enacted to read as follows:

Section 1-0143."

And re-number the lines and when so amended recommend the same do pass.

House Bill No. 48.

Strike out everything after the word "bill" and insert the following language:

For an Act to Amend and Re-enact Section 46-0405 of the North Dakota Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

1 SECTION 1. AMENDMENT.) That Section 46-0405 of  
2 the North Dakota Revised Code of 1943 is hereby amended  
3 and re-enacted to read as follows:

4 Section 46-0405. DISTRIBUTION OF SESSION

4a LAWS,

5 COMPILATIONS AND CODIFICATIONS TO COUNTY

5a OFFICERS.

6 The board of county commissioners of each county,

7 immediately after the publication of any session

8 laws, codes, or compilations, shall cause a copy

9 thereof to be furnished to the following county

10 officers:

- 11 1. Auditor;  
 12 2. State's attorney;  
 13 3. Clerk of court;  
 14 4. Sheriff;  
 15 5. County judge; and  
 16 6. The district court of such county.  
 17 If any of such offices legally have been combined in  
 18 such county, only one copy of the session laws, codes,  
 19 or compilations need be furnished for the offices so  
 20 combined.  
 21 Provided, however, that other county officers  
 22 may, in the discretion of the board of county commis-  
 23 sioners, be provided with copies of session laws,  
 24 compilations and codifications.  
 25 Provided further, that such codifications and copies of  
 26 the session laws shall remain the permanent property of  
 27 the County.

And when so amended recommend the same do pass.

REP. BAGGE, Chairman,  
 Committee of the Whole.

Rep. Wolf of McIntosh moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Reps. Symington and Hofstrand introduced:

House Bill No. 179. A Bill for an Act Assessing and Levying from July 1, 1945, to July 1, 1947, on All Licensed Dealers of Motor Vehicle Fuels, a Special License Tax of One-half Cent Per Gallon on Motor Vehicle Fuels Sold by Them for Agricultural or Industrial Purposes and Sold to Holders of Licenses to Purchase Tax Exempt Motor Fuel; Appropriating the Proceeds of Such Special Tax for Use in Construction, Reconstruction and Maintenance of Rural Highways; Making All the Provisions of Chapter 57-41 of the North Dakota Revised Code of 1943, and Amendments Thereto, and Known as the Motor Fuel Tax Law, Applicable to Said Tax Except as Inconsistent Herewith; Providing for the Distribution of Said Tax, and Penalties for the Violation of This Act.

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

#### MESSAGE FROM THE SENATE

Senate Chamber  
 Bismarck, February 5, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

#### FIRST READING OF HOUSE RESOLUTIONS

Reps. Wolf of McIntosh and McInnes introduced:  
 House Concurrent Resolution "P." Authorizing Imprinting

the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

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

Reps. Wolf of McIntosh and McInnes introduced:

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

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

#### FIRST READING OF SENATE BILLS

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.

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

Senate Bill No. 22. A Bill for an Act Making an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner.

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

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

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

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

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

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 109, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section three and renumber lines and change Section 4 to read "Section 3."

And when so amended recommend the same do pass.

REP. SMART, Chairman.

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

Rep. Falconer moved that the Speaker appoint a committee of three to act with a like committee from the Senate to make necessary arrangements for a Joint Memorial Session, which motion prevailed.

The Speaker appointed Reps. Callahan, Heckman and Hovey.

Rep. Graham reported for Rep. Fleck, Chairman of the

committee to act with a like committee from the Senate on arrangements for a Joint Session tomorrow, that such arrangements have been completed and the Joint Session is set for 3:00 o'clock Tuesday afternoon at which time Admiral Carpenter will address the Joint Assembly.

**SIGNING OF BILLS**

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

Senate Bill No. 45.

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

Rep. Arndt moved that the House recess until 1:00 o'clock p. m., tomorrow, which motion prevailed.

**KENNETH L. MORGAN, Chief Clerk.**

THIRTY-FIFTH DAY AFTER RECESS  
AND THIRTY-SIXTH DAY

Bismarck, February 6, 1945

The House reconvened at 1:00 o'clock p. m., pursuant to recess taken, Speaker Bergesen presiding.

PETITIONS AND COMMUNICATIONS

A letter was read from Oscar E. Erickson, Commissioner of Insurance, with reference to the Carpio School District, which communication was referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 61, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Grand Forks, Chairman.

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

Mr. Speaker: Your Committee on Mines and Mining to whom was referred House Bill No. 112, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. SAILER, Vice Chairman.

Rep. Smart moved that the report be adopted; which motion prevailed and the report was adopted.

Rep. Schnell moved that action on the committee report on House Bill No. 112 be reconsidered.

Rep. Johnson of Richland offered as a substitute motion that House Bill No. 112 be re-referred to the Committee on Mines and Mining, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 58, have had the same under consideration and recommend that the same be amended as follows:

In line seventeen of the original bill after the word "least" strike the word "two" and insert in lieu thereof the word "one".

In line twenty-one after the word "than" strike the word "eighteen" and insert the words "fifteen and one-half" in lieu thereof.

And when so amended recommend the same do pass.

REP. BOLMEIER, Chairman.

Rep. Wolf of McIntosh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 91, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BOLMEIER, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 75, have had the same under consideration and recommend that the same be amended as follows:

In line twenty of the original bill after the word "Installation.)" transfer the remainder of the line, and all of line twenty-one, all of line twenty-two, all of line twenty-three and line twenty-four to and including the word "herein," to a position following the word "limitations;" strike the "comma" after the word "herein" and substitute therefor a "period" also capitalize the word "the" before the word "Board" in line twenty-four.

In line forty-eight of the bill after the word "system" strike the word "if" and insert in lieu thereof the word "is" and further amend the bill by renumbering the lines as necessary.

And when so amended recommend the same be re-referred to the Committee on Appropriations.

REP. BOLMEIER, Chairman.

Rep. Falconer moved to further amend House Bill No. 75 so that the original amendment will read to a position following the word "limitation" in line 31, which motion prevailed.

Rep. Wolf of Mentosh moved that the report as amended be adopted, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and the amendments to House Bill No. 75 as recommended by the standing committee be adopted, which motion prevailed and House Bill No. 75 was re-referred to the Committee on Appropriations.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 40.

House Concurrent Resolution "A."

House Concurrent Resolution "E."

And find the same correctly Enrolled.

REP. LEET, Chairman.

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

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

House Bill No. 13.

And find the same correctly Re-engrossed.

REP. LEET, Chairman.

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



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

House Bill No. 26.  
House Bill No. 48.  
House Bill No. 66.  
House Bill No. 87.  
House Bill No. 99.  
House Bill No. 109.

And find the same correctly Engrossed.

REP. LEET, Chairman.

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

Rep. Olson of Barnes requested an extension of time on House Bills No. 60, 67 and 68.

Rep. Sailer moved that the request be granted, which motion prevailed.

Rep. Allen of Grand Forks requested an extension of time on House Bill No. 62 and Senate Bills Nos. 52 and 53.

Rep. Bolmeier moved that the request be granted, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Mork, Mollet, Schmidt of Morton, Moerke, Engel, Frank and Tuff introduced:

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, and Providing Exceptions.

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

Reps. Schmalenberger, Bubel and Esterby introduced:

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

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

Reps. Johnson of Richland, Graham, Wolf of Morton and Arndt introduced:

House Bill No. 182. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting Subsection 11 of Section 52-0101, of the North Dakota Revised Code of 1943, Relating to Definitions; Section 52-0504, of the North Dakota Revised Code of 1943, Relating to Termination as an Employer and the Regulations Governing; 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. Hovey introduced:

House Bill No. 183. A Bill for an Act to Amend and Re-enact Section 15-3912 of the North Dakota Revised Code of 1943, Relating to Eligibility to Membership of Teachers in the Teachers Insurance and Retirement Fund.

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

Reps. Forseth, Esterby and Frank introduced:

House Bill No. 184. A Bill for an Act Amending and Re-enacting Sections 14-1001 and 14-1002 of the North Dakota Revised Code of 1943, Defining Minors and Adults.

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

Reps. Ohnstad and Pyle introduced:

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

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

Reps. Sharpe and Lindberg introduced:

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing: Classification 5.

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

Reps. Schnell and Fitch introduced:

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribution of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Corporations by the Commisgioner of Insurance; Investment of Funds and Declaring an Emergency.

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

Reps. Sharpe and Isaak introduced:

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Transfer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

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

Reps. Sharpe and Isaak introduced:

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

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

Rep. Wollitz introduced:

House Bill No. 190. A Bill for an Act to Provide That

Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

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

Rep. Lindberg (by request) introduced:

House Bill No. 191. A Bill for an Act Requiring Each State's Attorney to Give to Every Person Making Complaint of the Commission of Any Crime or Misdemeanor by Any Person Within His County, a Statement in Writing Over His Signature, or That of His Assistant, Stating the Name of the Person Making the Complaint of; the Approximate Date of Such Act; the Name of the Person Suspected of Committing Such Act; and the Date of Such Complaint; Making It the Duty of Each State's Attorney to Keep a Written Record of Such Complaints, and to Make a Monthly Report to the Attorney General of Every Such Complaint Made to Him Within the Preceding Calendar Month, and His Disposition Thereof; Requiring the County Commissioners of Each County to Provide Proper Record Books and Blanks for the Use of the State's Attorney in Complying with the Terms of This Act.

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

Reps. Halcrow and Fuglestad (by request) introduced:

House Bill No. 192. A Bill for an Act Requiring Proof by Affidavit of Certain Facts Before Issuance of License for Retail Sale of Beer and Ale by State Tax Commissioner Under Sections 5-0203 of the Revised Code of 1943.

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

Rep. Fitch introduced:

House Bill No. 193. A Bill for an Act to Prohibit Libel.

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

Rep. Fitch introduced:

House Bill No. 194. A Bill for an Act Authorizing Administration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the Armed Forces of the United States of America; Declaring Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

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

Rep. Schnell introduced:

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of 1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

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

Rep. Klefstad introduced:

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

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

Reps. McInnes, Bagge, Wambheim, Fuglestad and Ostgulen introduced:

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

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

Rep. Olson of Barnes introduced:

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

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

Reps. Graham and Fitch introduced:

House Bill No. 199. A Bill for an Act Providing Procedure for an Appeal to the District Court from Actions, Determinations and Judgments of the Workmen's Compensation Bureau, Providing for Costs of Such Procedure and Providing for Appeal from the District Court to the Supreme Court and Repealing Conflicting Acts.

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

Reps. Stormon and Wambheim introduced:

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

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

Reps. Wolf of McIntosh, Haugen, Bubel and Haag introduced:

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

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

Reps. Fitch and Johnson of Cass introduced:

House Bill No. 202. A Bill for an Act to Amend and Re-enact Section 26-2401 of North Dakota Revised Code of 1943, to Further Define the Term "Permanent Contents"; and to Amend and Re-enact Section 26-2409, North Dakota Revised Code of 1943, 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, and Repealing All Laws or Parts of Laws in Conflict Herewith.

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

Reps. Schmalenberger, Schnell and Sticka introduced:

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 96 in Stark County, Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

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

The Committee on Tax and Tax Laws introduced:

House Bill No. 204. A Bill for an Act to Permit the Purchase of Motor Vehicle Fuel to Be Used Solely for Agricultural, Industrial and Domestic Purposes Without the Payment of a Motor Vehicle Fuel Tax on the Purchase Price Thereof; Providing for the Licensing of Purchasers and Dealers, and Providing for the Administration of This Act by the State Auditor; Providing Penalties for the Violation of This Act, and Repealing Sections 57-4121, 57-4122, 57-4123, 57-4124, 57-4125, 57-4126, 57-4127, 57-4128, 57-4129, 57-4130, and 57-4131, North Dakota Revised Code of 1943.

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

Reps. Stormon and Sharpe introduced:

House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

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

Rep. Belzer introduced:

House Bill No. 206. A Bill for an Act Amending and Re-enacting Subsection 1 of Section 26-0111, of the North Dakota Revised Code of 1943, Relating to Commissioner of Insurance to Collect Premium Tax; Insurance Companies Generally; Domestic Fire Insurance Companies; Computation.

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

The Committee on Tax and Tax Laws introduced:

House Bill No. 207. A Bill for an Act to Freeze License Fees on Passenger Motor Vehicles and Trucks at the Same Tax as Paid for the Year 1945 During the Years 1946 and 1947.

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

Reps. Luick and Wollitz introduced:

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

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

Reps. Schimke, Larson, Moerke, Anderson, Mollet and Tuff introduced:

House Bill No. 209. A Bill for an Act Prohibiting the Advertising of Intoxicating Liquors Within the State of North Dakota.

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

Reps. Belzer and Monson (by request) introduced:

House Bill No. 210. A Bill for an Act to Amend and Re-enact Section 61-1230 of the North Dakota Revised Code of 1943.

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

The Committee on Temperance introduced:

House Bill No. 211. A Bill for an Act Amending and Re-enacting Section 5-0202 and Repealing Sections 5-0208 and 5-0209 of the North Dakota Revised Code of 1943 Relating to the Sale of Beer and Ale.

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

The Committee on Temperance introduced:

House Bill No. 212. A Bill for an Act to Amend and Re-enact Sections 5-0302, 5-0303 and 5-0320 of the North Dakota Revised Code of 1943 Relating to Sale of Liquor.

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

Rep. Johnson of Cass introduced:

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

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

The Committee on Public Welfare introduced:

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 50-0701, 50-0703, and 50-0715 of the North Dakota Revised Code of 1943 Pertaining to Definitions, Eligibility for Assistance, Payment of Assistance to Guardian for Benefit of Recipient, and Providing for Authority to Compromise and Settle Claims, for Old Age Assistance.

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

The Committee on Public Welfare introduced:

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

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

Reps. Olson of Barnes and Yirchott (by request) introduced:

House Bill No. 216. A Bill for an Act Repealing Section 1-0143 of the North Dakota Revised Code of 1943 Relating to Mountain Time for the State of North Dakota.

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

The Committee on Public Welfare introduced:

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

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

Reps. Collette, Halcrow, Levin, Saumur, McInnes, Ohnstad, Pyle, Thompson of Richland, Luick, Johnson of Richland, Klefstad, Severson, Wollitz, Bagge, Stanley, Gainor and Lillehaugen introduced:

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 61-2142 of the North Dakota Revised Code of 1943, 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. Collette, Halcrow, Levin, Saumur, McInnes, Ohnstad, Pyle, Thompson of Richland, Luick, Johnson of Richland, Klefstad, Severson, Wollitz, Bagge, Stanley, Gainor and Lillehaugen introduced:

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

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

Reps. Hovey and Olson of Barnes introduced:

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations.

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

The Committee on Public Welfare (by request) introduced:

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of Premises and Report by the State Department of Health

and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and Concerning Need for Such Homes in Any Given Community; and Providing for a Penalty.

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

Reps. Hegge and Falconer introduced:

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

Was read the first time and referred to the Committee on Highways and Bridges.

Reps. Hegge and Falconer introduced:

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

Was read the first time and referred to the Committee on Highways and Bridges.

Reps. Haugland, Maher, Gainor and Schnell introduced:

House Bill No. 224. A Bill for an Act to Improve Relationship Between Landlord and Tenant by Providing for Payment to Tenants for Unexhausted Farm Improvements and for Payment to the Landlord for Abuse or Misuse of Farm Land and Improvements.

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

Reps. McInnes, Maher, Sandness and Schmalenberger introduced:

House Bill No. 225. A Bill for an Act Relating to the Termination of Farm Leases and Providing for Notice of Termination.

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

Reps. Falconer and Crockett introduced:

House Bill No. 226. A Bill for an Act to Amend and Re-enact Section 57-3703 of North Dakota Revised Code of 1943, (Volume 5) Relating to Gross Estate of Nonresident Decedent.

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

Reps. Schimke, Larson, Fraser, Anderson, Mortenson and Schwartz introduced:

House Bill No. 227. A Bill for an Act Amending and Re-enacting Sections 26-0401, 26-0102, 26-0402, 26-0404, 26-2414 and 26-2421 of the North Dakota Revised Code of 1943; Providing for the Administration of the State Fire and Tornado Fund, Property to Be Insured Thereunder, Replacement of Policies, New Construction in Insurance Rates; Classification; Repealing Acts in Conflict and Declaring an Emergency.

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



Reps. Halvorson, Bolmeier, Dalzell, Devlin and Monson introduced:

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

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

Reps. Schimke, Larson, Fraser, Anderson, Mortenson and Schwartz introduced:

House Bill No. 229. A Bill for an Act Defining Liquid Petroleum Gasses; Providing for the Regulations; Storage and Handling of Liquid Petroleum Gases; Providing a Penalty; and Declaring an Emergency.

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

Reps. Crockett, Fitch, Schimke and Larson introduced:

House Bill No. 230. A Bill for an Act Providing for the Use of Electric Lamps or Reflectors on the Four Corners of All Motor Vehicles More than Six Feet in Width, While Such Motor Vehicles Are in Use or Parked Upon or Adjacent to the Highway, from One-Half Hour Before Sunset to One-Half Hour Before Sunrise.

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

Reps. Schimke, Larson, Fraser, Anderson, Mortenson and Schwartz introduced:

House Bill No. 231. A Bill for an Act for Repeal of Sections 26-2422, 26-2423, 26-2424, 26-2425 of the North Dakota Revised Code of 1943.

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

Reps. Schimke, Larson, Fraser, Anderson, Mortenson and Schwartz introduced:

House Bill No. 232. 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; Appropriating \$175,000.00 for Administration of This Act; Administration of Fund and Repealing Acts in Conflict.

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

Reps. Graham and Schimke (by request) introduced:

House Bill No. 233. A Bill for an Act to Prohibit the Collection of Float Charges for the Payment or Collection of Checks in the Ordinary Course of Business by National Banks.

Was read the first time and referred to the Committee on Banks and Banking.

The Committee on Appropriations introduced:

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries

of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

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

Reps. Symington and Dalzell introduced:

House Bill No. 235. A Bill for an Act to Provide for the Payment of Tuition by School Districts Into the State Equalization Fund for Resident Students Attending High School in Other School Districts; Providing for the Necessary Levy Therefor.

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

Rep. Johnson of Richland introduced:

House Bill No. 236. A Bill for an Act to Amend and Re-enact Section 9-0806 of the North Dakota Revised Code of 1943 Relating to Unlawful and Void Contracts in Restraint of Professions and Business, and Exceptions.

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

Rep. Sailer introduced:

House Bill No. 237. A Bill for an Act Amending Section 57-0224 and Section 57-0225 of the North Dakota Revised Code of 1943, Relating to the Listing and Procedure in Assessment of Coal and Minerals.

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

Reps. Graham and Johnson of Richland introduced:

House Bill No. 238. A Bill for an Act Amending and Re-enacting Subsection 3 of Section 30-2004 of the North Dakota Revised Code of 1943 Relating to Compensation Paid Executors or Administrators.

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

Reps. Haugland, Wolf of Morton, Olson of Barnes and Lillehaugen introduced:

House Bill No. 239. A Bill for an Act to Provide Immunity from Liability, in the Absence of Negligent Construction or Operation, for Inductive Interference Caused in Communication Circuits by Electric Facilities; to Repeal All Acts and Parts of Acts in Conflict Herewith; and to Declare an Emergency.

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

Rep. Moe introduced:

House Bill No. 240. A Bill for an Act Prohibiting the Use of Misleading Signs and Advertising of Places Where Beer and Intoxicating Liquors Are Sold and the Maintenance of Such Places in Basement Locations; Providing Penalty Therefor.

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

Rep. Blair introduced:

House Bill No. 241. A Bill for an Act Prohibiting the Installation of the Check-off System in Labor Unions, Co-operative Organizations, Corporations or Associations, and Providing a Penalty for the Violation Thereof.

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

Reps. Haugen and Klefstad introduced:

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of Said Construction Fund; Fixing a Penalty for Unlawful Withdrawal of Such Construction Fund; and Declaring an Emergency.

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

Reps. Graham and Schimke (by request) introduced:

House Bill No. 243. A Bill for an Act to Provide for the clearing at Par of All Checks Drawn on the Bank of North

Dakota, or Any Other Bank, Trust Company or Financial Institution Organized Under the Laws of the State of North Dakota; Providing for Penalties and Declaring an Emergency.

Was read the first time and referred to the Committee on Banks and Banking.

The Committee on Livestock introduced:

House Bill No. 244. A Bill for an Act Making an Appropriation for the Construction and Equipping of a Veterinary Diagnostic Laboratory to Be Located at Bismarck, North Dakota, Such Appropriation to Be Made from All the Prior Funds of the Livestock Sanitary Board, Including Bangs and T.B. Miscellaneous Fund, for the 1943-1945 biennial period.

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

The Committee on Highways and Bridges introduced:

House Bill No. 245. A Bill for an Act Providing That During the Years of 1946 and 1947 Fees for the Registration and Re-registration of All Motor Vehicles Shall Be the Amount Paid for the Year of 1945, and Suspending the Reduction Provisions in Sections 39-0422, 39-0424, and 39-0453 of the Revised Code of North Dakota for 1943.

Was read the first time and referred to the Committee on Highways and Bridges.

Reps. McInnes and Schnell introduced:

House Bill No. 246. A Bill for an Act to Create a County Advisory Council; Providing the Method of Selection of Members; the Organization and Duties of the Council; Providing That the State Extension Service of the North Dakota Agricultural College Shall Recommend Candidates for Appointment as County Agents; Authorizing the County Advisory Council to Recommend Removal of County Agent and Procedure Therefor; Providing Terms of Office of Members of the Council and Their Expenses; Requiring Council to Submit to Board of County Commissioners a Budget Recommending Necessary Items of Expenditure for Ensuing Years to Carry Out the Farm and Rural Home Program, Including 4-H Club and Other Youth Work, and Expense of Council, Including Statement of Fund Available from State and Federal Sources; Requiring Monthly Report of Progress of County Agricultural Extension Work by County Agent; and Amending and Re-enacting Section 4-0804 of the Revised Code of 1943; and Repealing All Acts in Conflict Herewith.

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

The Committee on Appropriations introduced:

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "Highway Operating Fund" in the State Treasury, and Declaring an Emergency.

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

Reps. Dalzell, Levin and Collette introduced:

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 4-1005 of the North Dakota Revised Code of

1943 Relative to Labeling, Branding or Tagging Potatoes Being Transported or Offered for Sale or Consignment.

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

Reps. Schwartz, Hegge, Fraser, Larson and Schimke introduced:

House Bill No. 249. A Bill for an Act to Amend and Re-enact Section 16-0103 of the North Dakota Revised Codes of 1943 Relating to the Qualifications of Electors.

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

Reps. Schwartz, Fraser, Hegge, Larson and Schimke introduced:

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 12-4301 of the Revised Codes of North Dakota for 1943 Relating to the Sale of Cigarettes, Tobacco or Snuff to Minors; and Declaring an Emergency.

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

Rep. Johnson of Cass introduced:

House Bill No. 251. A Bill for an Act to Amend and Re-enact Section 54-1304 of the North Dakota Revised Code of 1943, Relating to the Examination and Audit of State Departments and Institutions of Higher Education by the Board of Auditors.

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

The Committee on Highways and Bridges introduced:

House Bill No. 252. A Bill for an Act Making It Unlawful to Drive a Vehicle on a Highway at a Speed in Excess of 45 Miles an Hour, Providing a Penalty Therefor and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways and Bridges.

Reps. Falconer and Westby introduced:

House Bill No. 253. A Bill for an Act Amending and Re-enacting Section 34-0108, of the North Dakota Revised Code of 1943, Relating to Limitation of Hours of Labor of Employees of the State, Counties, and Cities; Exception.

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

Reps. Schimke, Fraser, Lindberg, Lillehaugen, Anderson, Forseth and Schnell introduced:

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 26-2202, 26-2203, 26-2210, 26-2212, 26-2211, 26-2213, 26-2214, 26-2216, 26-2221, 26-2223, 26-2224, and 26-2254 of the North Dakota Revised Code for 1943 Relating to the Operations of the State Hail Insurance Department; Defining the Duties of the Commissioner of Insurance; the Crops to Be Insured; Effective Date of Policies; Duties of Assessors, Inspectors, Adjusters, County Auditors; and Their Compensation; Indemnity to Be Paid; Effective Time of Insurance; Securities; Penalties for Violation; Special Policies; Repealing Acts in Conflict; and Declaring an Emergency.

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

Rep. Luick introduced:

House Bill No. 255. A Bill for an Act to Amend and Re-enact Section 24-0703 of the North Dakota Revised Code of 1943, Making Section Lines Public Roads.

Was read the first time and referred to the Committee on Highways and Bridges.

Reps. Thompson of Richland and Wollitz introduced:

House Bill No. 256. A Bill for an Act Imposing a Tax on Motor Fuel Otherwise Exempt from Taxation Under Section 57-4121 of the Revised Code of 1943; Providing for the Collection of Such Tax; and Allocating the Tax to the Townships for the Benefit of the Road and Bridge Funds; and Declaring an Emergency.

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

Reps. Haag, Schmidt of Logan, and Wolf of McIntosh introduced:

House Bill No. 257. A Bill for an Act to Provide for the Time for Renewing Contracts of Teachers, Principals and Superintendents in the Public Schools of the State of North Dakota, and Providing for a Penalty for Violation of Teacher's Contract.

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

Reps. Devlin, Halvorson and Dalzell introduced:

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township supervisors, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act County, State and Federal Highways.

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

Rep. Fitch introduced:

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

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

Reps. Luick and Johnson of Richland introduced:

House Bill No. 260. A Bill for an Act to Amend and Re-enact Subsection 1 of Section 57-1506 of the North Dakota Revised Code of 1943, Relating to Limitations on County Tax Levies.

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

Rep. Fleck (by request) introduced:

House Bill No. 261. A Bill for an Act Amending and Re-enacting Section 43-0920 of the North Dakota Revised Code

of 1943, Relating to Contracts for the Installation of Electrical Wiring and Installation of Electrical Equipment; Declaring an Emergency.

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

Rep. Falconer (by request) introduced:

House Bill No. 262. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Paint, Water Paint, Varnish, Flaxseed Oil or Linseed Oil, and Providing for the Registration and Labelling Thereof; and, Repealing All of Chapter 19-11 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

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

Rep. Crockett (by request) introduced:

House Bill No. 263. A Bill for an Act to Provide Revenue for the Enforcement of the Paint and Varnish Laws of This State; to Prevent Fraud and Deception in the Sale of Paints and Varnishes; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violation Thereof.

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

Rep. Crockett introduced:

House Bill No. 264. A Bill for an Act to Provide Revenue for the Enforcement of the North Dakota Cosmetic Act; to Prevent Adulteration and Misbranding of Cosmetics; to Provide for Registration and Licensing Thereof; and to Provide Penalties for Violation Thereof.

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

Reps. Fitch and Callahan introduced:

House Bill No. 265. A Bill for an Act to Amend and Re-enact Section 16-1718 of the North Dakota Revised Code of 1943 Relative to Duties of State Party Conventions.

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

Rep. Benno requested an extension of time on House Bill No. 73.

Rep. Olson of Barnes moved that the request be granted, which motion prevailed.

#### SIGNING OF BILLS

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

House Bill No. 40.

House Concurrent Resolution "A."

House Concurrent Resolution "E."

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

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 6, 1945

Mr. President: I have the honor to transmit:

House Bill No. 72. A Bill for an Act to Amend and Re-

enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Prepayments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands.

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

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 6, 1945

Mr. President: I have the honor to transmit:

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

House Concurrent Resolution "A."

House Concurrent Resolution "E." A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile, Tractor, and Truck Tires for the Farming Industry.

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

KENNETH L. MORGAN, Chief Clerk.

Rep. Johnson of Richland moved that the House do now recess for the purpose of going into Joint Session and that the House re-convene immediately following the Joint Session, which motion prevailed.

#### JOINT SESSION

The Joint Session was called to order by Lt. Gov. Dahl, President of the Senate.

Rep. Graham moved that the President appoint a committee of five to escort the following dignitaries to the rostrum:

Brig. Gen. Heber L. Edwards, the Adjutant General of North Dakota.

Lt. Commander H. N. Russell.

Lt. Commander F. L. Benson.

Lt. D. J. Shults.

Lt. H. T. Ice.

Which motion prevailed.

The President appointed Reps. Graham, Sellens and Seibel and Senators Semerad and O'Brien.

Sen. Braun moved that the President appoint a committee of two to escort the Honorable Fred G. Aandahl, Governor of the State of North Dakota to the rostrum, which motion prevailed.

The President appointed Senator Braun and Rep. Wolf of McIntosh.

Rep. Fleck moved that the President appoint a committee of two to escort Rear Admiral A. S. Carpender, Commandant of the Ninth Naval District, to the rostrum, which motion prevailed.

The President appointed Rep. Fleck and Senator Young.

Brig. Gen. Heber L. Edwards, Lt. Cmdr. H. N. Russell,



Lt. Cmdr. F. L. Benson, Lt. D. J. Shults and Lt. H. T. Ice were escorted to the rostrum.

The Honorable Fred G. Aandahl, Governor, was escorted to the rostrum.

Rear Admiral A. S. Carpender was escorted to the rostrum.

President Dahl: It again becomes my pleasure to have the opportunity to introduce to you the Honorable Fred G. Aandahl, Governor of the State of North Dakota: Governor Aandahl.

Governor Aandahl: Mr. President, Members of the Legislature and friends: It is our privilege this afternoon to have Rear Admiral Carpender, Commandant of the Ninth Naval District with us.

Admiral Carpender is a native of the State of New Jersey. He was appointed to the United States Naval Academy from that State, graduating in the year 1908. Since that time he has been in constant service with the United States Navy. During the first World War he commanded the U. S. S. Flannery.

During the present war he has been at sea in the South Pacific as commander of the United Nations Naval Force in the South Pacific District under the direction of General MacArthur.

Admiral Carpender has the Distinguished Service Medal of the United States Army and the Legion of Merit of the United States Navy.

He has been in the Southwest Pacific since 1942. Recently he returned to the United States and has been stationed at the Great Lakes Naval Station as Commandant of the Ninth Naval District.

I am very pleased to present and introduce to you, Rear Admiral Arthur S. Carpender: Admiral Carpender.

Mr. President, Governor Aandahl and Members of the Joint Assembly of the Legislature:

It is a privilege to be here today and to address the joint session of the House and Senate of the State of North Dakota. It has been a very great pleasure to meet your distinguished governor and your state officials.

As Commandant of the Ninth Naval District, which comprises the thirteen midwestern states of which North Dakota is one, I regard it as a privilege, as well as a duty, to discuss with you some of the aspects of this war. Furthermore, it is the duty of every officer and man under my command in the Ninth Naval District to cooperate with you in every possible way in the prosecution of the war.

From this naval district—your naval district—comes a major portion of men and material with which we wage war in the four corners of the world.

This district comprises 33% of our total population. About a third of the men of the fleet come from this district and more than a third of the Navy materials of war are produced in the Ninth Naval District.

I consider it a further privilege to express officially, on behalf of the fighting men of our Navy, their sincere thanks to you for North Dakota's contribution to this war. We speak with great pride of the Ninth Naval District's contribution

in manpower and war materials, but I am impressed by the agricultural effort you have made. Today, I bring to you—the duly accredited representatives of the people of this great state—your Navy's thanks for the men and the food which comes from the vast, fertile lands of North Dakota.

Recognition given to industries for production are equally deserved by the farmers of our land. Our farmers toil—from dawn to darkness—to keep overflowing the bread baskets of our country that men with the fleet, in the air, and on the beachheads of far-flung battle areas, shall not go hungry. No navy, no army, no nation can win, or survive, without the wholehearted support of the men and women of our farms. North Dakota has, indeed, won the praise of our people.

As legislators, you understand the needs of your people. You are accustomed to facing grave problems. You work for the common good of all of your people. Your efforts are devoted to an analysis of your past, present, and future state problems.

You are as equally and vitally concerned with our national problems, for your state is one of the links in the great chain of 48 states which makes us the most feared and respected nation in the world. I know your people are strong and loyal. Your part in this war helps to make up the record which we are collectively making in the struggle against our enemies.

I know that I can count upon the people of the state of North Dakota to continue to support this war with an all-out effort until victory is won. And victory will be won wherever the men of North Dakota fight today at the side of the men of our sister states, in order that the armed forces of our enemies shall be beaten to their knees in total defeat, from which they shall never again arise to threaten the peace of the world.

Legislators are used to hearing facts. You get the bad news with the good in your job of conducting state business. I shall talk to you of the realities of this war. I shall review briefly the past accomplishments, and point to some things which are ahead.

I am not going to make a sugar-coated speech. I shall not indulge in fancy predictions, but I do want to discuss some of the serious aspects of this war, and I shall leave wishful thinking and rosy predictions to the arm-chair strategists.

When this war came to us, we were wholly unprepared for it. This was not unusual for the United States. We are lovers of peace, ready to fight, and in the past we have buried our heads in the sand, and forced ourselves to believe that by being weak in a military sense, we could avoid war—that if we were unprepared we would be immune from attack.

Japan had been preparing for war for many years prior to Pearl Harbor, with any nation or group of nations who might cross her path in the establishment of her so-called greater East Asia Empire. She had all but announced her intentions to the world.

Those of us who had watched her prepare, were not surprised when she caught the United States unprepared. But the attack of the Japanese at Pearl Harbor represented two fatal errors which history will record as the greatest mistakes ever made by any nation.

The first was a mistake of psychology. The Japs had struck a great people a foul blow. This country was stunned by the method and the treachery of a nation which we had treated with courtesy and kindness. The attack at Pearl Harbor aroused and united us as nothing else ever could. On this the Japs had not counted.

The second mistake was one of grand strategy. Australians tell me, and it's probably true, that the attack on Pearl Harbor saved their country. If Japan had knocked out her enemies one by one as Hitler did, she might have struck the United States a mortal blow.

If Japan had taken the British possessions of Hong Kong and Singapore, had seized the rich Dutch East Indies, had taken the Malayan Peninsula, and Australia and by-passed the Philippines, this country might not have gone to war. Then, the Japs could have struck, in their own good time, destroying our base at Pearl Harbor, our holdings in the Philippines, the Panama Canal and perhaps our west coast. This would have left us to fight an enemy seven thousand miles away without benefit of bases, friends, or allies. These two mistakes by the Japanese high command, cost her the dream of her greater East Asia and the opportunity to establish herself as a world dominating power.

We looked on, virtually helpless, as Japan seized the richest lands in all the world. Lands which gave the Japanese the lifeblood of war: tin, iron, magnesium, copper, rubber, and foodstuffs to feed her armies and her slaves.

It was in May, 1942, that the American Navy closed with the Japanese in the Battle of the Coral Seas. That saved Australia and our vital supply lines to the Southwest Pacific. It was a costly battle for this country, but it held the Japanese in check. It was a unique battle in naval tactics for it was the first major engagement in naval history in which surface ships did not exchange a single shot.

The Battle of Midway followed in June of 1942. This battle was the first decisive defeat suffered by Japan in 350 years. It marked a turning point in the war. Those of us who were in the Pacific at that time believed that the threat of farthest advance across the Pacific by the Japanese was not halted.

The end of 1942 witnessed the American offensive getting under way with the bloody battles for Guadalcanal in the late summer, the landings in the Aleutians by American forces, and in November the landing on the coast of Africa. We thus announced to the world that we were now ready to fight in all parts of the globe, as the implements of war, for the first time, were beginning to flow to the combat areas.

In 1943 men and women on the industrial front placed in the hands of our fighting men the needed machinery of war. From the production lines, from the farms, from the engineers' drawing boards, came evidence that America had really gone to war. A hurried but effective, training program transformed the farm boys from Dakota and Maine, from Texas and California from civilians to the world's greatest fighting force.

In 1943 we completed our reoccupation of the Aleutians, the New Georgia Campaign in the South Pacific was undertaken, we started the long and bitter fight up the coast of

New Guinea in July of that year. On the other side of the world, men and material stormed ashore on the coast of Sicily.

In September we struck at Lae and Salamaua in New Guinea, and in Europe American men made history at Salerno. Bougainville was struck in November, and Tarawa was hit in the same month.

Tarawa will live as one of the most magnificent pages in the history of the Marine Corps. Many people have asked me of the events of Tarawa, and why the cost was so high. I can assure you that it was from no lack of preparation or planning. The bombardment which preceded the landing was the greatest which, at that time, had ever preceded such a landing. One of the tragedies of Tarawa was a trick of nature. An off-shore wind, unusual and extremely unpredictable, lessened the depth of the water over the coral reefs as the landing craft approached the beaches. In this predicament dozens of small vessels grounded a few hundred yards further off shore than had been expected.

The Marines took Tarawa, and eliminated upwards of 5,000 Japs. Our casualties resulting from the operation is additional evidence that the price of war is paid in blood and tears and that there is no safe or easy road to victory.

The year 1944 witnessed unparalleled military achievements. The world's history will record the names of Kwajalein, New Ireland, Eniwetok, the Admiralty Islands, Hollandia, Wakde, and Biak as battle grounds where Americans stormed ashore to drive the Japs before them.

In June came the invasion of Normandy. This operation was the most stupendous military feat ever conceived and carried out. It was the result of years of training and preparation. Only those familiar with the unbelievably huge problems of logistics can form an adequate conception of what was necessary to carry out this operation.

Then—as though we were out to convince the world that there was nothing too great or too powerful for this aroused people—we struck in the Pacific at the strategic islands of Saipan, Guam, and Tinian. The capture of these islands warned Japan that the wings of America, in the form of B-29's and other land based aircraft, would soon cast an ominous shadow across the face of the rising sun.

In October the American flag returned to the Philippines. Again we saw in our newspapers the names of Leyte, Mindoro, and recently, Luzon. The men of Bataan were about to be avenged.

America stepped up the pace of the war! From three amphibious operations in 1942—we made 16 in 1943. In 1944 we made 23 amphibious landings.

The story behind these undertakings, and the story which lies ahead for the year 1945 and the years to follow, is closely tied up with production—with engineering, with agriculture, with working men and women, individuals who make up America's fighting team. Without all of these elements victory cannot be achieved.

You men are used to analyzing statistics. Let me quote a few figures which indicate the record which you have had a part in making by reason of your cooperation in this war effort.

When the war started we had 344 ships, 213,000 officers and men in the Navy. On January 1, 1945, we now have more than 61,000 vessels, of which 54,000 are landing craft designed to put American men on the beaches of the enemy. More than 3,700,000 men are now in our Navy, Marine Corps, and Coast Guard.

At this point I wish to pay tribute to the Reserves, both officers and enlisted men in the Navy. These men are doing a job on every ocean in the world. Their courage and heroism is epic. Just a short time ago they were lawyers, business men, farmers, and young men in colleges and high schools of the country and today they are proving to the world that they are not soft, that they can take it, and that they have the toughness of fiber and character to bring us victory.

We built, quoting round figures:

1,500 Ships in 1941  
11,000 Ships in 1942  
24,000 Ships in 1943  
39,900 Ships in 1944.

In 1941 the Navy alone received (in round numbers):

3,600 Airplanes  
9,700 " in 1942  
22,000 " in 1943  
30,000 " in 1944.

The cost of these planes in 1944 alone was \$2,900,000,000—four times as much as we spent for aircraft in 1942. In the past three years the Navy has spent nearly \$6,000,000,000 for shells, torpedoes, and ammunition. For guns and gun mounts alone the Navy spent about a million dollars a day in 1942. About three times that much in 1943. For ammunition in 1942 the Navy spent \$250,000,000 and in 1944 more than a billion dollars. From these figures you realize that this is the most expensive undertaking that has ever confronted mankind.

You may wonder at the necessity for it, but in the field of logistics you will get some idea of requirements to land an army from these figures. Here are a few of the major items required to land 250,000 men. (Bear in mind that such a force is required in an undertaking such as the Leyte or Luzon assault with a much larger force required for expanding operations.)

This would call for an initial landing of:

200,000 tons of weapons and ammunitions,  
325,000 tons of combat vehicles,  
525,000 tons of general purpose vehicles,  
100,000 tons of transportation equipment,  
200,000 tons of engineering equipment,  
100,000 tons of medical equipment,  
20,000 tons of gasoline and oil.

This does not include signal equipment, food and rations, chemical warfare equipment, and hundreds of miscellaneous items.

More than a million five hundred thousand tons of equipment must be landed in an operation of this sort and the landing would require five thousand separate landings by many different types of landing craft.

Every thirty days a minimum of more than 300,000 tons of equipment would have to follow, calling for the arrival and unloading each month of more than thirty-five liberty ships and fifteen tankers. In fighting the war with Japan these ships must cover a distance greater, by almost a thousand miles, than a round trip from Seattle to New York City by way of Bismarck. Add to this the fact that ships in convoy travel the equivalent of eight to ten knots per hour and must maneuver through enemy infested waters, and you get some conception of the problem.

In terms of freight cars with which you are more familiar the initial operation would require roughly 112,000 freight car loads. Each month 20,000 more freight cars would be required to handle the material to supply these men.

Keep these things in mind when you hear the fireside predictions that the war will be over in a few days. Add to that the fact that we are seven months behindtime for some needed carriers and cruisers. Add to that the fact that we need rockets and we need workers to make them. And add to that the fact that our demands for high capacity ammunition and forty millimeter guns is increased. We need 25,000,000 feet of wire rope during the first three months of this year, and I have just learned that we cannot get it until June because of a shortage of workers. We need 132,000 more workers on west coast shipyards to repair damaged ships. We need them now.

I have tried to give some idea as to our accomplishments in the war and on the home front. On the subject of logistics, the figures quoted may give you some idea of what we face in fighting a global war. It is natural that people should listen eagerly for predictions as to the end of the war. We like to hear good news and we dislike the bad. That is only human. But I make no predictions regarding the end of any phase of this war. In the first place, no one can take into consideration the hundreds of situations which may arise and contribute either to the lengthening or shortening of this conflict and give an accurate answer. There are too many things which might happen, may happen, or probably will never happen. We will all be better off if we put our shoulders to the wheel and work for victory with the realization that an all-out effort will hasten the day of victory.

There are three facts which I want to emphasize in regard to our war with Japan.

The first, is concerning the bombing operations of B-29 and similar land-based craft against Japan. It is not well to become too optimistic as to the possibilities in that field of endeavor, and I do not want to minimize for a minute the tremendous importance of the work these planes are doing. But there is no need to fool ourselves into believing that the war may be ended within a few months because of well-placed bomb hits. General Hansell, chief of the 21st bomber command, warns against over-optimism.

Instrument bombing of Japan—not as satisfactory as visual bombing—must be relied upon frequently because of weather conditions which exist very often over the Japanese islands. We now know that the Nakajima aircraft factory, which has been hit repeatedly, is still operating. After a visual bombing of the factory, General Hansell made this statement, "We haven't destroyed the plant, not by a damn sight."

Remember that England, which took everything the Germans could dish out during the airblitz, managed not only to maintain but to increase her production.

The second phase of the war against Japan deals with Japanese labor. There has recently been organized in Japan volunteer units, sworn to sacrifice themselves in work as their men sacrifice themselves in battle. They emulate the Japanese suicide corps by pledging to work 108½ hours per week.

A people who are willing to work more than a hundred hours a week for love of country, while their men are willing and eager to die on the field of battle, will not be beaten easily. I give that idea as food for thought.

I am not worried about the fighting heart of America. We have too much to fight for to become weak when the going is tough.

On the home front, we forego certain peacetime pursuits, but these so-called "sacrifices," compared with the daily activities of our fighting men, are so insignificant that it is sacrilege to call anything that we may do a sacrifice. But we do need to hold fast to our convictions concerning this war.

A short time ago there appeared a remarkable quotation in the publication "Stars and Stripes," the newspaper of the armed forces. That quotation was, "For the holy love of God let's listen to the dead. Let's learn from the living. Let's join the ranks against the foe. The bugles of battle are heard again above the bickering."

There is more in that quotation than meets the eye. We should know—beyond any shadow of a doubt—why America fights today. We should know from what we have seen occur in Europe and in the Philippines what would have been the fate of the civilized world if America had not drawn the sword.

Let's back these men up—all over the world—with the unwavering belief in our cause. We went into this war to defend ourselves against aggression. We entered the war because two savage, ruthless, fiendish nations—armed with an unChristian philosophy—were bent upon destroying principles which had been dear to this country since the Pilgrims landed at Plymouth Rock.

We shall cling to the traditions of real Americanism and be ever ready, willing, and able to defend them so that those who follow after us will know that we were ready to accept the challenge.

We went to war to preserve enough of the world against aggression to enable our own democracy to live and to prosper. When Nazi Germany made her vow to war upon democracy, she threw down the gauntlet to every American who believes in his country. When Japan announced her policy of aggression, its success meant slavery to millions. She challenged the fundamentals of democracy. It was the choice of Germany and Japan.

It is now for us to see that they pay the price, and pay dearly.

We must keep before us the simple, unequivocal fact, that we fight for our country today in the same spirit that our forefathers fought at Valley Forge.

A noted writer stated a few days ago, "Our sons are dying and are being called upon to risk their lives, to accept, the tortures of a maimed existence and to undergo the hardships of battle against barbaric enemies in the Far East and in Europe because the very safety of the 138,000,000 people of the United States is at stake."

It is crystal clear that you and I must support this war and our men who wage it, until every vestige of the philosophy represented by the Nazis and their ally, the Japs, is obliterated from the earth.

There is not room enough in this world for our theory of fair play and decency, and the Nazi and Japanese philosophy of bigotry, persecution, and slavery.

We shall win this war, but at a great cost of men and treasure. We shall win it because American men are willing to give everything, even their lives, to preserve intact the freedom of America.

I have no apprehensions about the spirit of our fighting men. Whether they serve on the seas, under the seas, in the air or on beachhead and in the foxhole—they have been tried in the hard school of warfare. They have not been found wanting.

It is for us—here on the home front—to give unwavering, all-out support in every way possible. To do nothing which might encourage our enemies; to do everything which will cause our enemies discomfort and distress.

We shall win this war the hard way—the only way wars are ever won. We shall win it with sacrifice and pain and sorrow. But we shall win. And I know that the men and women of North Dakota will continue to back our arms until complete victory is won.

But when that day comes, with it will come a grave responsibility to every man and to every woman in America—the America that has become through no desire for territorial expansion, no lust for power, the greatest military, naval, and economic power in the world. When peace has come to us, we must remain strong enough to keep that peace, we must insure that the sons of your sons will never be called upon to go into battle in the pitiful state of unpreparedness that your sons were faced with in this war.

Let us resolve that we shall keep the weapons of war in the hands of those who love peace most.

Rep. Graham moved that the Joint Session of the Legislative Assembly be now dissolved, which motion prevailed.

The House was called to order, Speaker Bergesen presiding.

#### FIRST READING OF HOUSE BILLS

Rep. Johnson of Richland (by request) introduced:

House Bill No. 266. A Bill for an Act Relating to the Accrediting and Standardization of High Schools and Minimum Enrollment Requirements.

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

Reps. Collette, Halcrow, Levin, Saumur, McInnes, Ohnstad, Pyle, Thompson of Richland, Luick, Johnson of Richland,



Klefstad, Severson, Wollitz, Lillehaugen and Gainor introduced:

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943 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. Bagge, Halcrow, Wollitz, Collette, Ohnstad, Thompson of Richland, Pyle and Luick introduced:

House Bill No. 268. A Bill for an Act to Amend and Re-enact Section 61-2202 of the North Dakota Revised Code of 1943 Providing for Voting at Township Meeting for Drainage Ditches; and Providing a Method of Payment.

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

Reps. Collette, Halcrow, Levin, Saumur, McInnes, Ohnstad, Pyle, Thompson of Richland, Luick, Johnson of Richland, Klefstad, Severson, Wollitz, Stanley, Bagge, Lillehaugen and Gainor introduced:

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

Was read the first time and referred to the Committee on Highways and Bridges.

Reps. Collette, Halcrow, Levin, Saumur, McInnes, Ohnstad, Pyle, Thompson of Richland, Luick, Johnson of Richland, Klefstad, Severson and Wollitz.

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

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

Reps. Johnson of Richland and Luick introduced:

House Bill No. 271. A Bill for an Act to Amend and Re-enact Section 57-1520 of the North Dakota Revised Code of 1943 Regulating Tax Levy Limitations in Townships.

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

Rep. Allen of Grand Forks (by request) introduced:

House Bill No. 272. A Bill for an Act to Amend and Re-enact Section 50-0707 of the North Dakota Revised Code of 1943 Providing That Homestead of Applicant for Old Age Assistance Shall Not Be Encumbered.

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

Rep. Crockett introduced:

House Bill No. 273. A Bill for an Act to Amend and Re-

enact Section 47-1409 of the North Dakota Revised Code of 1943 Defining Usury, Maximum Contract Rate of Interest and Prohibiting Charging Interest on Interest Overdue.

Was read the first time and referred to the Committee on Banks and Banking.

Rep. Blair introduced:

House Concurrent Resolution "R." A Concurrent Resolution Memorializing the President of the United States Not to Appoint Henry Wallace to Any Position of Public Trust.

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

Reps. Fitch and Severson introduced:

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on the Postwar Military Establishment and the Status of the National Guard.

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

Reps. Fraser, Larson, Schimke, Schwartz and Hegge introduced:

House Concurrent Resolution "U." A Concurrent Resolution Providing for the Amendment of Section 121 of the Constitution of North Dakota; Elective Franchise.

Was read the first time and referred to the Committee on Elections and Election Privileges:

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Mines and Mining to whom was referred Senate Bill No. 88, have had the same under consideration and recommend that the same do pass.

REP. SAILER, Chairman.

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

#### PETITIONS AND COMMUNICATIONS TO THE MEMBERS OF THE 29th LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

We, the undersigned, citizens, voters, and taxpayers of the State of North Dakota, believe that the needy old people of this State have, with commendable patience, waited long enough for the aid promised to them by voters of the State in the initiated measure of 1938. We call to your attention the fact that recent abundant crops, high prices, and war production has brought a high degree of prosperity to all. The one tragic exception being the needy old people, to whom the increasingly high cost of living has brought only hardship, sickness and in some cases death. Because of these facts we are respectfully asking you to meet the responsibility mandated to you by the above mentioned initiated law, and make the necessary appropriation that will give to these old people the support the voters of the State intended them to have.

Rep. Burau moved that the communication from Burke County be printed in the Journal, which motion prevailed.

Rep. Johnson of Richland moved that the address of Admiral Carpenter be printed in the Journal, which motion prevailed.

Rep. Allen of Grand Forks requested the consent of the House to withdraw his name as one of the sponsors of House Bill No. 174.

Rep. Leet moved that the request of Rep. Allen of Grand Forks be granted, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Reps. Blair and Fitch introduced:

House Bill No. 274. A Bill for an Act to Amend and Re-enact Section 48-0206 of the North Dakota Revised Code of 1943, Relating to Opening Bids, Award of Contract, Bond Required and Preference for North Dakota Contractors in the Matter of the Construction of Public Buildings.

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

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

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

KENNETH L. MORGAN, Chief Clerk.

#### THIRTY-SIXTH DAY

Bismarck, February 6, 1945

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

Prayer was offered by Rev. George H. Mittag.

Roll call: All members present except Reps. Olson of Bowman, Benno, Brady, Crockett, Forseth, Lysne, Ohnstad, Skaar and Stair.

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 Thirty-third Day After Recess and the Thirty-fifth Day and recommends that the same be corrected as follows:

Under General Orders on page 311 and 312 insert action taken on Senate Bill No. 38.

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

Rep. Graham moved that the House recess until 1:00 o'clock p. m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

THIRTY-SIXTH DAY AFTER RECESS  
AND THIRTY-SEVENTH DAY

Bismarck, February 7, 1945

The House reconvened at 1:00 o'clock p. m., pursuant to recess taken, Speaker Bergesen presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 13. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 1; absent and not voting, 19.

Those voting in the affirmative were:

Acheson	Heckman	Saumur
Allen, Grand Forks	Hegge	Schlafmann
Anderson	Herk	Schmalenberger
Bagge	Hildre	Schmidt, Logan
Baumgartner	Hofstrand	Schmidt, Morton
Benno	Hogoboom	Schnell
Bjella	Hovey	Schwartz
Blair	Isaak	Seibel
Bolmeier	Jennings	Sellens
Boucher	Johnson, Cass	Severson
Brady	Johnson, Richland	Sharpe
Bubel	Langley	Shockman
Burau	Leet	Skaar
Bymers	Levin	Stair
Callahan	Lillehaugen	Stanley
Dalzell	Lindberg	Sticka
Dittmer	Luick	Still
Drawz	McInnes	Stormon
Drovdal	Maher	Symington
Engel	Moerke	Thompson, Griggs
Falconer	Mollet	Thompson, Rich'nd.
Fitch	Monson	Tuff
Fleck	Mork	Wambheim
Frank	Nystrom	Welk
Fraser	Ohnstad	Westby
Fuglestad	Olson, Barnes	Wolf, McIntosh
Graham	Ostgulen	Wolf, Morton
Grenier	Pyle	Wollitz
Haag	Rohrer	Yirchott
Halcrow	Sailer	Mr. Speaker
Halvorson	Sandness	

Those voting in the negative were:

Moe

Absent and not voting:

Allen, Pierce	Esterby	Larson
Arndt	Forseth	Lysne
Belzer	Gainor	Mortenson
Collette	Haugen	Olson, Bowman
Crockett	Haugland	Schimke
Devlin	Klefstad	Smart
Ekren		

So the bill passed as amended and the title was agreed to.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 2; absent and not voting, 13.

Those voting in the affirmative were:

Acheson	Halvorson	Rohrer
Allen, Grand Forks	Haugen	Sailer
Anderson	Heckman	Saumur
Arndt	Hegge	Schimke
Bagge	Herk	Schlafmann
Baumgartner	Hildre	Schmalenberger
Belzer	Hofstrand	Schmidt, Logan
Benno	Hogoboom	Schmidt, Morton
Bjella	Hovey	Schnell
Blair	Isaak	Schwartz
Bolmeier	Jennings	Seibel
Boucher	Johnson, Cass	Sellens
Brady	Johnson, Richland	Severson
Bubel	Langley	Sharpe
Burau	Larson	Shockman
Bymers	Leet	Skaar
Callahan	Levin	Smart
Dalzell	Lillehaugen	Stair
Dittmer	Lindberg	Stanley
Drawz	Luick	Sticka
Drovdal	McInnes	Still
Ekren	Maher	Stormon
Engel	Moe	Symington
Falconer	Moerke	Thompson, Griggs
Fitch	Mollet	Tuff
Fleck	Monson	Wambheim
Frank	Mork	Welk
Fraser	Nystrom	Westby
Fuglestad	Ohnstad	Wolf, McIntosh
Graham	Olson, Barnes	Wolf, Morton
Grenier	Ostgulen	Yirchott
Haag	Pyle	Mr. Speaker
Halcrow		

Those voting in the negative were:

Thompson, Richl'nd Wollitz

Absent and not voting:

Allen, Pierce	Forseth	Lysne
Collette	Gainor	Mortenson

Crockett	Haugland	Olson, Bowman
Devlin	Klefstad	Sandness
Esterby		

So the bill passed as amended and the title was agreed to.  
House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Acheson	Halcrow	Sailer
Allen, Grand Forks	Halvorson	Saumur
Anderson	Haugen	Schimke
Arndt	Heckman	Schlafmann
Bagge	Hegge	Schmalenberger
Baumgartner	Herk	Schmidt, Logan
Belzer	Hildre	Schmidt, Morton
Benno	Hofstrand	Schnell
Bjella	Hogoboom	Schwartz
Blair	Hovey	Seibel
Bolmeier	Isaak	Sellens
Boucher	Jennings	Severson
Brady	Johnson, Cass	Sharpe
Bubel	Johnson, Richland	Shockman
Burau	Langley	Skaar
Bymers	Larson	Smart
Callahan	Leet	Stair
Dalzell	Levin	Stanley
Devlin	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	McInnes	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Richland
Falconer	Moerke	Tuff
Fitch	Mollet	Wambheim
Fleck	Monson	Welk
Forseth	Mork	Westby
Frank	Nystrom	Wolf, McIntosh
Fraser	Ohnstad	Wolf, Morton
Fuglestad	Olson, Barnes	Wollitz
Graham	Ostgulen	Yirchott
Grenier	Pyle	Mr. Speaker
Haag	Rohrer	

Absent and not voting:

Allen, Pierce	Gainor	Mortenson
Collette	Haugland	Olson, Bowman
Crockett	Klefstad	Sandness
Dittmer	Lysne	

So the bill passed as amended and the title was agreed to.  
House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural

College at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 5; absent and not voting, 10.

Those voting in the affirmative were:

Acheson	Halvorson	Pyle
Allen, Grand Forks	Haugen	Rohrer
Allen, Pierce	Haugland	Sailer
Anderson	Heckman	Saumur
Arndt	Hegge	Schimke
Bagge	Herk	Schlafmann
Baumgartner	Hildre	Schmalenberger
Belzer	Hofstrand	Schmidt, Logan
Benno	Hogboom	Schmidt, Morton
Bjella	Hovey	Schnell
Blair	Isaak	Schwartz
Bolmeier	Jennings	Seibel
Boucher	Johnson, Cass	Severson
Bubel	Johnson, Richland	Sharpe
Bureau	Klefstad	Skaar
Bymers	Langley	Smart
Callahan	Larson	Stair
Crockett	Leet	Sticka
Dalzell	Levin	Still
Dittmer	Lillehaugen	Stormon
Drawz	Lindberg	Symington
Drovdal	Luick	Thompson, Griggs
Ekren	McInnes	Thompson, Richl'nd
Esterby	Maher	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Graham	Ohnstad	Wollitz
Grenier	Olson, Barnes	Yirchott
Haag	Ostgulen	Mr. Speaker
Halcrow		

Those voting in the negative were:

Brady	Moe	Stanley
Fuglestad	Shockman	

Absent and not voting:

Collette	Gainor	Olson, Bowman
Devlin	Lysne	Sandness
Engel	Mortenson	Sellens
Frank		

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

Rep. Benno moved that the vote by which House Bill No. 66 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett moved that House Bill No. 85 be indefinitely postponed.

On a voice vote the chair was in doubt.

A rising vote revealed 47 voting for and 52 voting against the motion, so the motion was declared lost.

House Bill No. 85. A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 57; nays, 50; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Halcrow	Sailer
Allen, Grand Forks	Heckman	Sandness
Allen, Pierce	Hegge	Saumur
Arndt	Herk	Sellens
Bagge	Hildre	Severson
Benno	Hogoboom	Sharpe
Bjella	Hovey	Skaar
Blair	Johnson, Cass	Smart
Bolmeier	Johnson, Richland	Stair
Boucher	Langley	Stanley
Brady	Leet	Still
Bymers	Lillehaugen	Stormon
Dalzell	Luick	Symington
Drawz	McInnes	Thompson, Griggs
Ekren	Moe	Wambheim
Fitch	Nystrom	Westby
Fleck	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Yirchott
Gainor	Pyle	Mr. Speaker

Those voting in the negative were:

Anderson	Haag	Rohrer
Baumgartner	Halvorson	Schimke
Belzer	Haugen	Schlafmann
Bubel	Hofstrand	Schmalenberger
Burau	Isaak	Schmidt, Logan
Callahan	Jennings	Schmidt, Morton
Crockett	Klefstad	Schnell
Dittmer	Larson	Schwartz
Drovdal	Levin	Seibel
Engel	Lindberg	Shockman
Esterby	Maher	Sticka
Falconer	Moerke	Thompson, Richl'nd
Forseth	Mollet	Tuff
Frank	Monson	Welk
Fraser	Mork	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Grenier	Ostgulen	

Absent and not voting:

Collette	Haugland	Olson, Bowman
Devlin	Lysne	

So the bill passed and the title was agreed to.



Rep. Crockett requested a verification, which request was granted and the verification disclosed 57 ayes, 50 nays, 5 absent and not voting.

Rep. Fitch moved that the vote by which House Bill No. 85 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

Was read the 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, 3; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Bureau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Stair
Crockett	Larson	Stanley
Dalzell	Leet	Sticka
Dittmer	Levin	Still
Drawz	Lillehaugen	Stormon
Drovdal	Lindberg	Symington
Ekren	Luick	Thompson, Griggs
Engel	McInnes	Thompson, Richl'nd
Esterby	Maher	Tuff
Falconer	Moe	Wambheim
Fitch	Moerke	Welk
Fleck	Mollet	Westby
Forseth	Monson	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Graham	Ostgulen	

Those voting in the negative were:

Isaak	Mork	Seibel
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Absent and not voting:

Collette	Lysne	Smart
Devlin	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

Rep. Moe moved that the vote by which House Bill No. 87 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bubel moved that further consideration of House Bill No. 99 be indefinitely postponed.

On a voice vote the chair was in doubt.

A rising vote revealed 49 voting for and 42 voting against so the motion was declared carried.

Rep. Sticka requested a roll call, which request was granted.

### ROLL CALL

The question being on the motion to indefinitely postpone House Bill No. 99, the roll was called and there were ayes, 51; nays, 55; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Halvorson	Olson, Barnes
Allen, Pierce	Haugen	Ostgulen
Arndt	Hildre	Rohrer
Bagge	Hogoboom	Sailer
Benno	Jennings	Schimke
Bjella	Klefstad	Schlafmann
Boucher	Langley	Schmidt, Morton
Bubel	Larson	Sellens
Bymers	Levin	Skaar
Callahan	McInnes	Stanley
Drawz	Moe	Still
Ekren	Moerke	Thompson, Richl'nd
Falconer	Mollet	Wambheim
Fleck	Monson	Welk
Forseth	Mork	Westby
Gainor	Mortenson	Wolf, McIntosh
Grenier	Ohnstad	Yirchott

Those voting in the negative were:

Allen, Grand Forks	Halcrow	Schmalenberger
Anderson	Haugland	Schmidt, Logan
Baumgartner	Heckman	Schnell
Belzer	Hegge	Schwartz
Blair	Herk	Seibel
Bolmeier	Hofstrand	Severson
Brady	Hovey	Sharpe
Bureau	Isaak	Shockman
Crockett	Johnson, Richland	Smart
Dalzell	Leet	Stair
Dittmer	Lillehaugen	Sticka
Drovdal	Lindberg	Stormon
Engel	Luick	Symington
Esterby	Maher	Thompson, Griggs
Fitch	Nystrom	Tuff
Frank	Pyle	Wolf, Morton
Fraser	Sandness	Wollitz
Fuglestad	Saumur	Mr. Speaker
Graham		

Absent and not voting:

Collette	Haag	Lysne
Devlin	Johnson, Cass	Olson, Bowman

So the motion was declared lost.

## MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 7, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 107. A Bill for an Act Providing for the Retirement of Employees of State Charitable or Penal Institutions, Fixing the Retirement Pay and Providing for Biennial Budget.

Senate Bill No. 108. A Bill for an Act to Amend and Re-enact Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking.

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

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 7, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

House Concurrent Resolution "A."

House Concurrent Resolution "E." A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile, Tractor, and Truck Tires for the Farming Industry.

Which the President has signed.

W. J. TROUT, Secretary.

Debate on House Bill No. 99 was resumed.

Rep. Sticka moved the previous question, which motion prevailed and closed the debate on House Bill No. 99.

## SECOND READING OF HOUSE BILLS

House Bill No. 99. A Bill for an Act to Amend Section 1-0143 of the Revised Code of 1943 by Providing Mountain Time for That Part of the State South and West of the Missouri River.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 53; nays, 53; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Fraser	Saumur
Allen, Grand Forks	Fuglestad	Schmalenberger
Allen, Pierce	Graham	Schmidt, Logan
Anderson	Halcrow	Schnell
Baumgartner	Haugland	Schwartz
Belzer	Heckman	Seibel
Blair	Hegge	Sharpe
Bolmeier	Herk	Shockman
Boucher	Hofstrand	Smart
Brady	Hovey	Sticka
Bureau	Johnson, Richland	Stormon
Callahan	Leet	Symington
Crockett	Lillehaugen	Thompson, Griggs

Dalzell	Lindberg	Tuff
Dittmer	Luick	Wolf, Morton
Drovdal	Maher	Wollitz
Esterby	Pyle	Mr. Speaker
Fitch	Sandness	

Those voting in the negative were:

Arndt	Hildre	Rohrer
Bagge	Hogoboom	Sailer
Benno	Isaak	Schimke
Bjella	Jennings	Schlafmann
Bubel	Klefstad	Schmidt, Morton
Bymers	Langley	Sellens
Collette	Larson	Severson
Drawz	Levin	Skaar
Ekren	McInnes	Stair
Engel	Moe	Stanley
Falconer	Moerke	Still
Fleck	Mollet	Thompson, Richl'nd
Forseth	Monson	Wambheim
Frank	Mork	Welk
Gainor	Mortenson	Westby
Grenier	Ohnstad	Wolf, McIntosh
Halvorson	Olson, Barnes	Yirchott
Haugen	Ostgulen	

Absent and not voting:

Devlin	Johnson, Cass	Nystrom
Haag	Lysne	Olson, Bowman

So the bill as amended was declared lost for lack of a constitutional majority.

Rep. Falconer: I wish to explain my vote and have my remarks printed in the Journal. I am voting against this bill not only for the reasons given a while ago, but for the fact that we have a twin city proposition on the Missouri River here between Bismarck and Mandan. Many times, the way the law is now, when a night club is closed on this side of the river it is also closed on the other side. If we pass this bill those who are "lit-up" over in Bismarck can go over and continue their celebration on the other side. So I am voting "no" on this bill.

Rep. Sticka moved that the vote by which House Bill No. 99 was lost be reconsidered and the motion to reconsider be laid on the table.

Rep. Graham arose to a point of order stating the motion was out of order, Rep. Sticka having voted on the prevailing side.

The Speaker sustained Rep. Graham.

Rep. Bubel moved that the vote by which House Bill No. 99 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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

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

KENNETH L. MORGAN, Chief Clerk.

## THIRTY-SEVENTH DAY

Bismarck, February 7, 1945

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

Prayer was offered by Rev. George H. Mittag.

Roll call: All members present except Reps. Olson of Bowman, Devlin, and Lysne.

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 Thirty-fifth Day after Recess and Thirty-sixth Day and recommend that the same be corrected as follows:

On page 342, "House Concurrent Resolution N" should read "House Concurrent Resolution U".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 120, have had the same under consideration and recommend that the same do pass.

REP. SYMINGTON, Acting Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred House Bill No. 105, have had the same under consideration and recommend that the same do pass.

REP. SEVERSON, Chairman.

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

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred House Bill No. 119, have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title strike out the word "Citizens" and insert in lieu thereof the word "residents".

And when so amended recommend the same do pass.

REP. SEVERSON, Chairman.

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

Rep. Fitch moved that the rules be suspended and the amendments to House Bill No. 119 as recommended by the Standing Committee be adopted, which motion prevailed.

Rep. Crockett moved that action on the Standing Committee Report on House Bill No. 154 be deferred one day, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 83, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 60, have had the same under consideration and recommend that the same be amended as follows:

Line 13. Strike out the word 'an' and insert the word 'any.'

And when so amended recommend the same do pass.

REP. OLSON of Barnes, Chairman.

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

Rep. Fitch moved that the rules be suspended and the amendments to House Bill No. 60 as recommended by the Standing Committee be adopted, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 67, have had the same under consideration and recommend that the same do pass.

REP. OLSON of Barnes, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 68, have had the same under consideration and recommend that the same do pass.

REP. OLSON of Barnes, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 94, have had the same under consideration and recommend that the same be amended as follows:

Line 7. Strike out the word 'one' and insert the word 'four.' At the end of the same line following the word 'inhabitants' insert the following language: 'which has adopted or may adopt Civil Service for police employees' and renumber the lines.

And when so amended recommend the same do pass.

REP. OLSON of Barnes, Chairman.

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

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred House Bill No. 104, have had the same under consideration and recommend that the same be amended as follows:

In line 6 after the word "is" strike out the word "totally".

And when so amended recommend the same do pass.

REP. SEVERSON, Chairman.

Rep. Smart moved that the report be adopted.

Rep. Fitch offered as a substitute motion that House Bill No. 104 be re-referred to the Committee on Veterans and Military Affairs, which motion prevailed.

Mr. Speaker: Your Committee on Veterans and Military Affairs, to whom was referred House Bill No. 107, have

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

In line 21 after the word "for" strike out the word "four" and insert in lieu thereof the word "two".

In line 22 after the word "every" strike out the word "fourth" and insert in lieu thereof the word "second".

And when so amended, recommend that the same do pass.

REP. SEVERSON, Chairman.

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

Rep. Bolmeier moved that the rules be suspended and the Amendments to House Bill No. 107 as recommended by the Standing Committee be adopted, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations, to whom was referred Senate Bill No. 41, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. OLSON of Barnes, Chairman.

Rep. Stanley moved that the report be adopted.

Rep. Graham offered as a substitute motion that Senate Bill No. 41 be placed on the Calendar.

Rep. Fitch moved that Senate Bill No. 41 be re-referred to the Committee on Cities and Municipal Corporations, which motion prevailed and Senate Bill No. 41 was re-referred.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 80, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Callahan 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. 51, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: The majority of your Committee on Appropriations, to whom was referred House Bill No. 86, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. ALLEN of Grand Forks.

REP. BJELLA.

REP. CALLAHAN.

REP. LUICK.

REP. OLSON of Barnes.

REP. SEVERSON.

REP. STORMAN.

REP. WAMBHEIM.

REP. SYMINGTON, Acting Chairman.

Rep. Stormon moved that the report be adopted.

Mr. Speaker: The minority of your Committee on Appropriations, to whom was referred House Bill No. 86, have had

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

REP. GRAHAM.  
 REP. HAAG.  
 REP. HECKMAN.  
 REP. LILLEHAUGEN.  
 REP. STICKA.  
 REP. WOLF of Morton.

Rep. Graham offered as a substitute motion that the report of the Minority be substituted for the report of the Majority.

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

The question being on the adoption of the Minority Report on House Bill No. 86.

On a voice vote the Chair was in doubt.

A Roll Call was demanded and granted.

#### ROLL CALL

The question being on the adoption of the Minority Report, the roll was called and there were ayes, 56; nays, 51; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Anderson	Halvorson	Rohrer
Baumgartner	Haugen	Schimke
Belzer	Haugland	Schlafmann
Boucher	Heckman	Schmalenberger
Bubel	Hegge	Schmidt, Logan
Burau	Isaak	Schmidt, Morton
Bymers	Jennings	Schnell
Crockett	Larson	Schwartz
Dittmer	Levin	Seibel
Drovdal	Lillehaugen	Shockman
Engel	Lindberg	Stair
Esterby	Maher	Sticka
Falconer	Moerke	Thompson, Richl'nd
Forseth	Mollet	Tuff
Frank	Monson	Welk
Fraser	Mork	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Grenier	Ohnstad	

Those voting in the negative were:

Allen, Grand Forks	Gainor	Sailer
Allen, Pierce	Halcrow	Sandness
Arndt	Herk	Saumur
Bagge	Hildre	Sellens
Benno	Hogoboom	Severson
Bjella	Hovey	Sharpe
Blair	Johnson, Cass	Skaar
Bolmeier	Johnson, Richland	Smart
Brady	Klefstad	Stanley
Callahan	Langley	Still
Collette	Leet	Stormon
Dalzell	Luick	Symington
Drawz	McInnes	Wambheim
Ekren	Moe	Westby
Fitch	Nystrom	Wollitz



Fleck	Olson, Barnes	Yirchott
Fuglestad	Pyle	Mr. Speaker
Absent and not voting:		
Devlin	Lysne	Thompson, Griggs
Hofstrand	Olson, Bowman	

So the Minority Report was adopted and House Bill No. 86 was placed on the Calendar.

Rep. Moe: I wish to explain my vote. Whether the money was loaned or transferred I feel that it was transferred for a good cause anyhow, although some people, some territories and some schools have received some benefit of that transferred money. I don't see any necessity of re-paying that money at the present time. Therefore, I vote "no".

#### 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. 40.

Was delivered to the Governor for his approval at the hour of 2:35 p. m., February 7, 1945.

REP. LEET, Chairman.

The Committee on Enrollment and Engrossment made the following report:

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

House Concurrent Resolution "A."

House Concurrent Resolution "E."

Were delivered to the Secretary of State at the hour of 2:40 p. m., February 7, 1945.

REP. LEET, Chairman.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 107. A Bill for an Act Providing for the Retirement of Employees of State Charitable or Penal Institutions, Fixing the Retirement Pay and Providing for Biennial Budget.

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

Senate Bill No. 108. A Bill for an Act to Amend and Re-enact Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking.

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

Rep. Haugen moved that the House recess for twenty minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

#### SECOND READING OF HOUSE BILLS

House Bill No. 103. A Bill for an Act Authorizing the Publication of Delinquent Personal Property Tax Lists.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 71; absent and not voting, 10.

Those voting in the affirmative were:

Allen, Pierce	Johnson, Cass	Sandness
Bagge	Johnson, Richland	Sellens
Blair	Langley	Severson
Bymers	Leet	Skaar
Collette	Lillehaugen	Stanley
Fitch	Luick	Stormon
Fleck	Maher	Wambheim
Fuglestad	Ohnstad	Westby
Herk	Pyle	Wolf, Morton
Hildre	Sailer	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Acheson	Fraser	Nystrom
Allen, Grand Forks	Gainor	Olson, Barnes
Anderson	Graham	Ostgulen
Arndt	Grenier	Rohrer
Baumgartner	Haag	Saumur
Belzer	Halcrow	Schlafmann
Benno	Halvorson	Schmalenberger
Bjella	Haugen	Schmidt, Logan
Bolmeier	Haugland	Schmidt, Morton
Boucher	Heckman	Schnell
Brady	Hegge	Schwartz
Bubel	Hogoboom	Seibel
Bureau	Hovey	Sharpe
Crockett	Isaak	Shockman
Dalzell	Jennings	Smart
Dittmer	Larson	Stair
Drawz	Levin	Sticka
Drovdal	Lindberg	Still
Ekren	McInnes	Tuff
Engel	Moe	Welk
Esterby	Moerke	Wolf, McIntosh
Falconer	Mollet	Wollitz
Forseth	Monson	Yirchott
Frank	Mork	

Absent and not voting:

Callahan	Mortenson	Symington
Devlin	Olson, Bowman	Thompson, Griggs
Klefstad	Schimke	Thompson, Richland
Lysne		

So the bill was declared lost.

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 16-1016 of the North Dakota Revised Code of 1943, Increasing Compensation of Inspector, Judges and Clerks of Election.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 85; nays, 21; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Haag	Sailer
Anderson	Halerow	Sandness
Arndt	Halvorson	Saumur
Bagge	Haugen	Schmalenberger
Baumgartner	Haugland	Schmidt, Logan
Belzer	Heckman	Schmidt, Morton
Benno	Hegge	Schnell
Bolmeier	Herk	Schwartz
Boucher	Hildre	Seibel
Brady	Hogoboom	Sellens
Bubel	Hovey	Severson
Bureau	Jennings	Sharpe
Bymers	Johnson, Cass	Shockman
Callahan	Johnson, Richland	Skaar
Collette	Langley	Smart
Dittmer	Larson	Stair
Drawz	Lillehaugen	Stanley
Drovdal	Lindberg	Sticka
Ekren	Luick	Tuff
Esterby	McInnes	Wambheim
Falconer	Moe	Weik
Fitch	Mollet	Westby
Fleck	Monson	Wolf, McIntosh
Forseth	Mork	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Graham		

Those voting in the negative were:

Allen, Pierce	Hofstrand	Ostgulen
Bjella	Isaak	Rohrer
Blair	Klefstad	Schlafmann
Crockett	Leet	Still
Dalzell	Levin	Stormon
Engel	Maher	Symington
Frank	Moerke	Thompson, Rich'nd

Absent and not voting:

Devlin	Mortenson	Schimke
Lysne	Olson, Bowman	Thompson, Griggs

So the bill passed and the title was agreed to.

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter 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:

Acheson	Haag	Ostgulen
Allen, Grand Forks	Halerow	Pyle
Allen, Pierce	Halvorson	Rohrer
Anderson	Haugen	Sailer
Arndt	Haugland	Sandness
Bagge	Heckman	Saumur

Baumgartner	Grenier	Olson, Barnes
Belzer	Hegge	Schlafmann
Benno	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Logan
Blair	Hofstrand	Schmidt, Morton
Bolmeier	Hogoboom	Schnell
Boucher	Hovey	Schwartz
Brady	Isaak	Seibel
Bubel	Jennings	Sellens
Bureau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Crockett	Larson	Smart
Dalzell	Leet	Stair
Dittmer	Levin	Stanley
Drawz	Lillehaugen	Sticka
Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Engel	McInnes	Symington
Esterby	Maher	Thompson, Richl'nd
Falconer	Moe	Tuff
Fitch	Moerke	Wambheim
Fleck	Mollet	Welk
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fraser	Mortenson	Wollitz
Gainor	Nystrom	Yirchott
Graham	Ohnstad	Mr. Speaker

Absent and not voting:

Devlin	Olson, Bowman	Thompson, Griggs
Fuglestad	Schimke	Westby
Lysne		

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

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 7, 1945

Mr. President: I have the honor to return:

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

#### GENERAL ORDERS

Rep. Bolmeier moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Bolmeier to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 81.

Line 3—Strike out the figures "\$16,400.00" and insert in lieu thereof the figures "\$12,800.00".

Line 5—Strike out the word "Dividion" and insert in lieu thereof the word "Division".

Insert a new line as follows:

"Salary—Director .....\$6,000.00"

Line 7—Strike out the figures "\$13,200.00" and insert in lieu thereof the figures "3,900.00".

Line 10—Strike out the figures "400.00" and insert in lieu thereof the figures "100.00".

Line 11—Strike out the figures "\$16,400.00" and insert in lieu thereof the figures "\$12,800.00".

And renumber the lines.

And when so amended recommend the same do pass.

House Bill No. 109.

Strike out all of Section three and renumber lines and change Section 4 to read "Section 3."

After the word "sheep" in the title change the "comma" to a "period" and strike out the remaining two lines and renumber the lines.

And when so amended recommend the same do pass.

House Bill No. 115.

Strike out all after the word "day" on line 14 through the word "day" on line 28—the end of the paragraph.

And when so amended recommend the same do pass.

House Bill No. 58.

In line seventeen of the original bill after the word "least" strike the word "two" and insert in lieu thereof the word "one".

In line twenty-one after the word "than" strike the word "eighteen" and insert the words "fifteen and one-half" in lieu thereof.

In line 17 change the word "pages" to "page".

Renumber the lines.

And when so amended recommend the same do pass.

House Bill No. 7.

In line 4 strike out the figures \$4,050,000.00 and insert in lieu thereof \$5,146,000.00.

In line 17 strike out the figures \$504,000.00 and insert in lieu thereof the figures \$500,000.00.

In line 18 strike out the figures \$900,000.00 and insert in lieu thereof the figures \$1,200,000.00.

In line 19 strike out the figures \$1,400,000.00 and insert in lieu thereof the figures \$2,200,000.00.

In line 21 strike out the figures \$4,050,000.00 and insert in lieu thereof the figures \$5,146,000.00.

In line 10 change "Ptg." to read "Printing" and "Furn." to "Furniture" and renumber the lines.

And when so amended recommend the same do pass.

REP. BOLMEIER, Chairman,  
Committee of the Whole.

Rep. Westby moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

Rep. Sandness moved that Senate Bill No. 38 be placed at the foot of the calendar, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 4; absent and not voting, 13.

Those voting in the affirmative were:

Acheson	Gainor	Ohnstad
Allen, Grand Forks	Graham	Ostgulen
Allen, Pierce	Grenier	Rohrer
Anderson	Haag	Sailer
Arndt	Halcrow	Sandness
Bagge	Halvorson	Saumur
Baumgartner	Haugland	Schlafmann
Belzer	Heckman	Schmalenberger
Benno	Hegge	Schmidt, Logan
Blair	Herk	Schmidt, Morton
Bolmeier	Hildre	Schnell
Boucher	Hofstrand	Schwartz
Brady	Hogoboom	Seibel
Bubel	Hovey	Sharpe
Bureau	Isaak	Shockman
Bymers	Jennings	Skaar
Callahan	Johnson, Cass	Stair
Collette	Johnson, Richland	Stanley
Crockett	Klefstad	Sticka
Dalzell	Langley	Still
Dittmer	Larson	Stormon
Drawz	Leet	Symington
Drovdal	Lillehaugen	Thompson, Richl'nd
Ekren	Lindberg	Tuff
Engel	Luick	Welk
Esterby	Maher	Westby
Falconer	Moe	Wolf, McIntosh
Fitch	Moerke	Wolf, Morton
Forseth	Mollet	Wollitz
Frank	Monson	Yirchott
Fraser	Mork	Mr. Speaker
Fuglestad	Mortenson	

Those voting in the negative were:

Haugen	Sellens	Severson
Nystrom		

## Absent and not voting:

Bjella	McInnes	Schimke
Devlin	Olson, Barnes	Smart
Fleck	Olson, Bowman	Thompson, Griggs
Levin	Pyle	Wambheim
Lysne		

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

Rep. Ohnstad moved that Senate Bill No. 88 be re-referred to Committee on Mines and Mining, which motion prevailed.

Rep. Johnson of Richland moved that Senate Bill No. 75 be re-referred to the Committee on State Affairs, which motion prevailed.

Rep. Fitch moved that action on Senate Bill No. 38 be deferred until tomorrow before adjournment, which motion prevailed.

Rep. McInnes requested an extension of time on House Bill No. 98.

Rep. Sailer moved that the request of Rep. McInnes be granted, which motion prevailed.

Rep. Bölmeier moved that the House recess until 1:00 o'clock p.m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

THIRTY-SEVENTH DAY AFTER RECESS  
AND THIRTY-EIGHTH DAY

Bismarck, February 8, 1945

The House reconvened at 1:00 o'clock p. m., pursuant to recess taken, Speaker Bergesen presiding.

## SECOND READING OF SENATE BILLS

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 5.



Those voting in the affirmative were:

Acheson	Halcrow	Rohrer
Allen, Grand Forks	Halvorson	Sailer
Allen, Pierce	Haugen	Sandness
Anderson	Haugland	Saumur
Arndt	Heckman	Schimke
Bagge	Hegge	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schnell
Blair	Hovey	Schwartz
Bolmeier	Isaak	Seibel
Brady	Jennings	Sellens
Bubel	Johnson, Cass	Severson
Burau	Johnson, Richland	Sharpe
Bymers	Klefstad	Shockman
Callahan	Langley	Skaar
Collette	Larson	Smart
Crockett	Leet	Stair
Dalzell	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Moe	Thompson, Richland
Falconer	Moerke	Tuff
Fitch	Mollet	Wambheim
Fleck	Monson	Welk
Frank	Mork	Westby
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gainor	Ohnstad	Wollitz
Graham	Olson, Barnes	Yirchott
Grenier	Ostgulen	Mr. Speaker
Haag	Pyle	

Absent and not voting:

Boucher	Forseth	Olson, Bowman
Devlin	Maher	

So the bill passed as amended and the title was agreed to.

#### GENERAL ORDERS

Rep. Fitch moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Fitch to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 94.

Line 7. Strike out the word 'one' and insert the word 'four.' At the end of the same line following the word 'inhabitants' insert the following language: 'which has adopted or may adopt Civil Service for police employees' and renumber the lines.

And when so amended recommend the same do pass.

REP. FITCH, Chairman,  
Committee of the Whole.

Rep. Brady moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

Rep. McInnes moved that Senate Bill No. 81 be referred to the Committee on Judiciary, which motion prevailed.

Rep. Smart requested an extension of time of House Bill No. 71.

Rep. Sailer moved that the request of Rep. Smart be granted, which motion prevailed.

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

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

KENNETH L. MORGAN, Chief Clerk.

### THIRTY-EIGHTH DAY

Bismarck, February 8, 1945

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

Prayer was offered by Rev. T. W. Tysdal.

Roll call: All members present except Reps. Olson of Bowman and Devlin.

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 Thirty-sixth Day After Recess and Thirty-seventh Day and recommends that the same be corrected as follows:

In the roll call on page 362 on House Bill No. 61 change Rep. Benno from voting in the negative to voting in the affirmative and change the ayes to 105; nays, 0; absent and not voting, 7.

In the roll call on House Bill No. 111 change Rep. Nystrom from voting in the negative to voting in the affirmative and change the figures on page 361 to show 85 ayes, nays 21.

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

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

### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 8, 1945

Mr. President: I have the honor to return:

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 8, 1945

Mr. President: I have the honor to transmit:

House Bill No. 13. A Bill for an Act Making an Appro-

priation for Services and Expenses for the Public Utility Division.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers.

House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural College at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

House Bill No. 85. A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 16-1016 of the North Dakota Revised Code of 1943, Increasing Compensation of Inspector, Judges and Clerks of Election.

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

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

KENNETH L. MORGAN, Chief Clerk.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

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

House Bill No. 7.

House Bill No. 58.

House Bill No. 81.

House Bill No. 115.

House Bill No. 60.

House Bill No. 107.

House Bill No. 119.

And find the same correctly Engrossed.

REP. LEET, Chairman.

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

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

House Bill No. 109.

And find the same correctly Re-engrossed.

REP. LEET, Chairman.

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

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 54, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Richland, Chairman.

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

Rep. Graham moved that consideration of the report of the Standing Committee on House Bill No. 88 be deferred one day, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 93, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Richland, Chairman.

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

Mr. Speaker: Your Committee on Counties, to whom was referred House Bill No. 95, have had the same under consideration and recommend that the same be amended as follows:

In line 9 after the word "of" change the word "twelve" to read "ten".

And when so amended recommend the same do pass.

REP. SMART, Chairman.

Rep. Smart moved that the rules be suspended and House Bill No. 95 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and House Bill No. 95 placed on the Calendar.

Rep. Johnson of Cass offered as a substitute motion that House Bill No. 95 be indefinitely postponed, which motion prevailed.

Rep. Johnson moved that the vote by which House Bill No. 95 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Drainage and Irrigation, to whom was referred House Bill No. 101, have had the same under consideration and recommend that the same be amended as follows:

Amend title by striking out comma after the figure 1 and insert a dash and the same change in line 1.

REP. SAILER, Chairman.

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

Rep. Sailer moved that the rules be suspended and House Bill No. 101 be amended as recommended by the Standing Committee Report, which motion prevailed and the amend-

ments were declared adopted and House Bill No. 101 placed on the Calendar.

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 102, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

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

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred House Bill No. 104, have had the same under consideration and recommend that the same do pass.

We recede from the amendment previously adopted by the Standing Committee and concurred in by the House and recommend that House Bill No. 104 do pass as originally introduced without amendment.

REP. SEVERSON, Chairman.

Rep. Fitch moved that the report of the standing committee on House Bill No. 104 be amended to read as follows: In line 5 of the bill strike out the comma after the word "widows" and insert a semi-colon. In line six of the bill after the word "is" re-insert the word "totally". Strike out everything else in the committee report except the recommendation that the bill do pass, which motion prevailed.

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

Rep. Fitch moved that the rules be suspended and House Bill No. 104 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and House Bill No. 104 placed on the calendar.

Rep. Wolf of McIntosh moved that the rules be suspended and House Bill No. 102 be amended as follows: In the title of the bill following the word "the" and before the word "revised" insert the words "North Dakota" and in line two of the bill before the word "revised" insert the words "North Dakota" and renumber the lines, which motion prevailed.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 108, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. ALLEN of Grand Forks, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 110, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, 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. 116, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Sellens 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. 117, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Sellens 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. 118, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

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

Mr. Speaker: Your Committee on Counties, to whom was referred House Bill No. 124, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. SMART, Chairman.

Rep. Bolmeier moved that the report be adopted.

Rep. Drovdal offered as a substitute motion that House Bill No. 124 do pass.

On a voice vote the Chair was in doubt.

A rising vote revealed 51 voting for and 36 voting against so the substitute motion prevailed and House Bill No. 124 was placed on the Calendar.

Rep. Leet moved that the rules be suspended and House Bill No. 124 be amended as follows:

In line 4 of the title before the word "Revised" insert the words "North Dakota" and in line 5 of the bill before the word "Revised" insert the words "North Dakota" and re-number the lines, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 135, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 154, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BOLMEIER, Chairman.

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

Rep. Johnson of Cass moved that the vote by which House Bill No. 154 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 142, have had the same under consideration and recommend that the same be amended as follows:

In conformity with not to exceed sixty spaces in each line and renumber the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 142 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and House Bill No. 142 placed on the Calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 141, have had the same under consideration and recommend that the same be amended as follows:

In "House Bill Number 141", strike out the word "Number" and insert in lieu thereof the word "No."

And further amend in conformity with not to exceed sixty spaces in each line and renumber the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 141 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and House Bill No. 141 placed on the Calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 139, have had the same under consideration and recommend that the same be amended as follows:

In conformity with not to exceed sixty spaces in each line and renumber the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 139 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and House Bill No. 139 placed on the Calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 138, have had the same under consideration and recommend that the same be amended as follows:

In conformity with not to exceed sixty spaces in each line and renumber the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 138 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 138 placed on the Calendar.

Mr. Speaker: Your Committee on Appropriations to whom

was referred House Bill No. 137, have had the same under consideration and recommend that the same be amended as follows:

In conformity with not to exceed sixty spaces in each line and renumber the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 137 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 137 placed on the Calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 128, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 158, have had the same under consideration and recommend that the same do pass.

REP. SMART, Chairman.

Rep. Mortenson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 32, have had the same under consideration and recommend that the same be amended as follows:

Line 4—Strike out the figures "\$595,850.00" and insert in lieu thereof the figures "\$584,650.00".

Line 11—Strike out the figures "\$6,500.00" and insert in lieu thereof the figures "\$5,700.00".

Line 17—Strike out the figures "\$224,900.00" and insert in lieu thereof the figures "\$224,100.00".

Line 20—Strike out the figures "\$6,500.00" and insert in lieu thereof the figures "\$5,700.00".

Line 21—Strike out the figures "144,600.00" and insert in lieu thereof the figures "135,000.00".

Line 26—Strike out the figures "\$370,950.00" and insert in lieu thereof the figures "\$360,550.00".

Line 27—Strike out the figures "\$595,850.00" and insert in lieu thereof the figures "\$584,650.00".

And when so amended recommend the same do pass.

REP. SYMINGTON, Acting Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred Senate Bill No. 66, have had the same under consideration and recommend that the same do pass.

REP. SEVERSON, Chairman:

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.



Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred Senate Bill No. 67, have had the same under consideration and recommend that the same be amended as follows:

On line 18 strike out the word "service".

And when so amended recommend the same do pass.

REP. SEVERSON, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Crockett moved that the rules be suspended and Senate Bill No. 67 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 67 placed on the calendar.

Mr. Speaker: Your Committee on Counties to whom was referred Senate Bill No. 102, have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the title change the word "inspection" to read "reception".

And when so amended recommend the same do pass.

REP. SMART, Chairman.

Rep. Bagge moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bagge moved that the rules be suspended and Senate Bill No. 102 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 102 placed on the calendar.

Rep. Smart moved that House Bill No. 83 be referred to the Committee on Appropriations, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 8, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service of the United States to Hunt, Fish or Trap, Without License Therefor for the Duration of the Present War, and for Six Months Thereafter, While on Furlough.

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund of the State, and Declaring an Emergency.

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State, Its Agencies, Municipalities and Other

Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 44-0409 of the Revised Codes of North Dakota for 1943 for the Prevention of Nepotism and Prohibiting the Appointment by the Head of Any Executive or Administrative Department of This State, or of His or Her Wife or Husband, Son or Daughter, Brother or Sister, to Any Position in Said Department or Under the Control of Such Department Head; Providing Penalties Therefor; and Declaring an Emergency.

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Pay the Legislative Deficit of the 1944 Special Session, and Declaring an Emergency.

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Creating an Emergency.

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Rep. Crockett moved that House Bill No. 120 be indefinitely postponed.

On a voice vote the chair was in doubt.

A rising vote revealed 34 voting for and 50 voting against, so the motion was lost.

### SECOND READING OF HOUSE BILLS

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 74; nays, 30; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Fuglestad	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schnell
Bjella	Hildre	Sellens
Blair	Hofstrand	Severson
Bolmeier	Hogboom	Sharpe
Boucher	Hovey	Skaar
Brady	Jennings	Smart
Burau	Johnson, Cass	Stair

Bymers	Johnson, Richland	Stanley
Callahan	Klefstad	Sticka
Collette	Langley	Still
Crockett	Leet	Stormon
Dalzell	Luick	Symington
Dittmer	Lysne	Thompson, Griggs
Drawz	McInnes	Wambheim
Drovdal	Maher	Westby
Ekren	Nystrom	Wollitz
Falconer	Ohnstad	Yirchott
Fitch	Olson, Barnes	Mr. Speaker
Fleck	Pyle	
Those voting in the negative were:		
Baumgartner	Isaak	Schmidt, Logan
Engel	Larson	Schmidt, Morton
Esterbv	Levin	Schwartz
Forseth	Lillehaugen	Seibel
Frank	Moerke	Shockman
Fraser	Mollet	Thompson, Richl'nd
Graham	Monson	Tuff
Grenier	Mork	Welk
Haag	Mortenson	Wolf, McIntosh
Halvorson	Schimke	Wolf, Morton
Absent and not voting:		
Anderson	Gainor	Olson, Bowman
Bubel	Lindberg	Ostgulen
Devlin	Moe	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Fleck moved that the vote by which House Bill No. 120 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Lillehaugen: I wish to explain my vote. In committee we were under the impression that this was mandatory. We understand now that it was permissible in order to be consistent with some of the other appropriations and I vote "No".

Rep. Haugen moved that the House do now recess for twenty minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund. Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger

Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sellens
Bubel	Jennings	Severson
Burau	Johnson, Cass	Sharpe
Bymers	Johnson, Richland	Shockman
Callaban	Langley	Skaar
Collette	Larson	Smart
Crockett	Leet	Stair
Dalzell	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Rich'nd
Falconer	Moerke	Tuff
Fitch	Mollet	Wambheim
Fleck	Monson	Welk
Forseth	Mork	Westby
Frank	Mortenson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Fuglestad	Ohnstad	Wollitz
Gainor	Olson, Barnes	Yirchott
Graham	Ostgulen	Mr. Speaker
Grenier		

Absent and not voting:

Allen, Grand Forks	Klefstad	Olson, Bowman
Devlin	McInnes	Sailer

So the bill passed and the title was agreed to.

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 108; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sellens

Bubel	Jennings	Severson
Burau	Johnson, Cass	Sharpe
Bymers	Johnson, Richland	Shockman
Callahan	Langley	Skaar
Collette	Larson	Smart
Crockett	Leet	Stair
Dalzell	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Richland
Falconer	Moerke	Tuff
Fitch	Mollet	Wambheim
Fleck	Monson	Welk
Forseth	Mork	Westby
Frank	Mortenson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Fuglestad	Ohnstad	Wollitz
Gainor	Olson, Barnes	Yirchott
Graham	Ostgulen	Mr. Speaker
Absent and not voting:		
Devlin	McInnes	Olson, Bowman
Klefstad		

So the bill passed as amended and the title was agreed to.  
House Bill No. 60. A Bill for an Act Relating to War  
Emergency Fund Levies in Villages and Repealing All Acts  
or Parts of Acts in Conflict Therewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as  
amended, the roll was called and there were ayes, 107; nays, 0;  
absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Grenier	Rohrer
Allen, Grand Forks	Haag	Sailer
Allen, Pierce	Halerow	Sandness
Anderson	Halvorson	Saumur
Arndt	Haugen	Schimke
Bagge	Haugland	Schlafmann
Baumgartner	Heckman	Schmalenberger
Belzer	Hegge	Schmidt, Logan
Benno	Herk	Schmidt, Morton
Bjella	Hildre	Schnell
Blair	Hofstrand	Schwartz
Bolmeier	Hogoboom	Seibel
Boucher	Hovey	Sellens
Brady	Isaak	Severson
Bubel	Jennings	Sharpe
Burau	Johnson, Cass	Shockman
Bymers	Johnson, Richland	Skaar
Callahan	Langley	Smart
Collette	Larson	Stair
Crockett	Leet	Stanley
Dalzell	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon

Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	Maher	Thompson, Richland
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Yirchott
Gainor	Ostgulen	Mr. Speaker
Graham	Pyle	
Absent and not voting:		
Devlin	McInnes	Olson, Bowman
Klefstad	Nystrom	

So the bill passed as amended and the title was agreed to.

Rep. Johnson of Richland moved that further consideration of House Bill No. 67 be indefinitely postponed, which motion prevailed.

Rep. Graham moved that the vote by which House Bill No. 67 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; 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, 100; nays, 8; absent and not voting, 4.

Those voting in the affirmative were:		
Acheson	Graham	Ostgulen
Allen, Grand Forks	Grenier	Pyle
Allen, Pierce	Haag	Rohrer
Anderson	Halcrow	Sailer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur
Baumgartner	Heckman	Schimke
Belzer	Hegge	Schlafmann
Benno	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Logan
Blair	Hofstrand	Schmidt, Morton
Boucher	Hogoboom	Schnell
Brady	Hovey	Schwartz
Bubel	Isaak	Seibel
Bureau	Jennings	Sellens
Bymers	Johnson, Richland	Severson
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Crockett	Larson	Smart
Dalzell	Leet	Stair
Dittmer	Levin	Stanley
Drawz	Lillehaugen	Sticka

Drovdal	Lindberg	Stormon
Ekren	Luick	Symington
Engel	Lysne	Thompson,Griggs
Esterby	McInnes	Tuff
Falconer	Moe	Wambheim
Fitch	Moerke	Welk
Fleck	Mollet	Westby
Forseth	Monson	Wolf, Morton
Frank	Mork	Wollitz
Fraser	Ohnstad	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Gainor		

Those voting in the negative were:

Bolmeier	Nystrom	Thompson,Richl'nd
Halvorson	Sharpe	Wolf, McIntosh
Mortenson	Still	

Absent and not voting:

Devlin	Maher	Olson, Bowman
Johnson, Cass		

So the bill passed and the title was agreed to.

House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof; Establishing the Office of Commissioner of Veterans' Affairs; Providing the Qualifications, the Manner of Appointment, Duties and Salary of Such Officer, and Prescribing His Duties.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Haugen	Sandness
Anderson	Haugland	Saumur
Arndt	Heckman	Schimke
Bagge	Hegge	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schnell
Blair	Hovey	Schwartz
Bolmeier	Isaak	Seibel
Boucher	Jennings	Sellens
Brady	Johnson, Cass	Severson
Bubel	Klefstad	Sharpe
Bureau	Langley	Shockman
Bymers	Larson	Skaar
Callahan	Leet	Smart
Collette	Levin	Stair
Crockett	Lillehaugen	Stanley
Dalzell	Lindberg	Sticka
Dittmer	Luick	Still
Drawz	Lysne	Stormon
Drovdal	McInnes	Symington
Ekren	Maher	Thompson,Griggs
Engel	Moe	Thompson,Richl'nd

Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Fitch	Monson	Welk
Forseth	Mork	Westby
Frank	Mortenson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Fuglestad	Ohnstad	Wollitz
Gainor	Olson, Barnes	Yirchott
Graham	Ostgulen	Mr. Speaker
Grenier	Pyle	

## Absent and not voting:

Devlin	Halvorson	Olson, Bowman
Fleck	Johnson, Richland	

So the bill passed as amended and the title was agreed to.

House Bill No. 80. A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 108; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Haugen	Sailer
Anderson	Haugland	Sandness
Arndt	Heckman	Saumur
Bagge	Hegge	Schimke
Baumgartner	Herk	Schlafmann
Belzer	Hildre	Schmalenberger
Benno	Hofstrand	Schmidt, Logan
Bjella	Hogoboom	Schmidt, Morton
Blair	Hovey	Schnell
Bolmeier	Isaak	Schwartz
Boucher	Jennings	Seibel
Brady	Johnson, Cass	Sellens
Bubel	Johnson, Richland	Severson
Burau	Klefstad	Sharpe
Bymers	Langley	Shockman
Callahan	Larson	Skaar
Collette	Leet	Smart
Crockett	Levin	Stair
Dalzell	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Luick	Still
Drovdal	Lysne	Stormon
Ekren	McInnes	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Richl'nd
Falconer	Moerke	Tuff
Fitch	Mollet	Wambheim
Forseth	Monson	Welk
Frank	Mork	Westby
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton



Gainor	Ohnstad	Wollitz
Graham	Olson, Barnes	Yirchott
Grenier	Ostgulen	Mr. Speaker
Absent and not voting:		
Devlin	Halvorson	Olson, Bowman
Fleck		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the Sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, Through a Misinterpretation of Section 57-2826 of the North Dakota Revised Code of 1943; Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Haugen	Sailer
Anderson	Haugland	Sandness
Arndt	Heckman	Saumur
Bagge	Hegge	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schnell
Blair	Hovey	Schwartz
Bolmeier	Isaak	Seibel
Boucher	Jennings	Sellens
Brady	Johnson, Cass	Severson
Bubel	Johnson, Richland	Sharpe
Bureau	Klefstad	Shockman
Bymers	Langley	Skaar
Callahan	Larson	Smart
Collette	Leet	Stair
Crockett	Levin	Stanley
Dalzell	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Rich'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Graham	Olson, Barnes	Mr. Speaker
Grenier	Ostgulen	

Absent and not voting:

Devlin	Halvorson	Schimke
Fleck	Olson, Bowman	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Schnell requested that the House be on the seventh order of business, which request was granted.

Rep. Schnell moved that his name be withdrawn as one of the sponsors of House Bill No. 254, which motion prevailed.

Rep. Forseth moved that his name be withdrawn as one of the sponsors of House Bill No. 254, which motion prevailed.

Rep. Lillehaugen moved that his name be withdrawn as one of the sponsors of House Bill No. 254, which motion prevailed.

House Bill No. 86. A Bill for an Act Making an Appropriation of \$900,000.00 to the State Hail Insurance Department from the General Fund to Reimburse the State Hail Insurance Department for Money Diverted to the State Equalization Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 57; nays, 52; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Haag	Ohnstad
Anderson	Halvorson	Ostgulen
Baumgartner	Haugen	Rohrer
Belzer	Haugland	Schimke
Boucher	Heckman	Schlafmann
Bubel	Hegge	Schmalenberger
Burau	Hofstrand	Schmidt, Logan
Bymers	Isaak	Schmidt, Morton
Crockett	Jennings	Schnell
Dittmer	Larson	Schwartz
Drovdal	Levin	Seibel
Engel	Lillehaugen	Shockman
Esterby	Lindberg	Stair
Falconer	Maher	Sticka
Forseth	Moerke	Thompson, Richl'nd
Frank	Mollet	Tuff
Fraser	Monson	Welk
Graham	Mork	Wolf, McIntosh
Grenier	Mortenson	Wolf, Morton

Those voting in the negative were:

Allen, Grand Forks	Herk	Sandness
Allen, Pierce	Hildre	Saumur
Arndt	Hogoboom	Sellens
Bagge	Hovey	Severson
Benno	Johnson, Cass	Sharpe
Bjella	Johnson, Richland	Skaar
Blair	Klefstad	Smart
Bolmeier	Langley	Stanley
Brady	Leet	Still
Callahan	Luick	Stormon
Collette	Lysne	Symington
Dalzell	McInnes	Thompson, Griggs
Drawz	Moe	Wambheim
Ekren	Nystrom	Westby
Fitch	Olson, Barnes	Wollitz

Fuglestad  
Gainor  
Halcrow

Pyle  
Sailer

Virchott  
Mr. Speaker

Absent and not voting:

Devlin

Fleck

Olson, Bowman

So the bill passed and the title was agreed to.

Rep. Crockett moved that the vote by which House Bill No. 86 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bymers: I wish to explain my vote and have my remarks recorded in the Journal. I will repeat what I said yesterday—it is mighty fine in times of emergency that one fund can be transferred to another to tide them over. Had this fund been collected from the same type of revenue as the Equalization Fund there would be no object in transferring it for it would have come out of the people in the same manner but due to the fact that these two funds are made possible from two different types of revenue, it is no more than just and fair to have it returned to its original place.

Rep. Crockett: I am going to vote "aye" on this bill for the reason that this money belongs in the Hail Fund which belongs to the farmers. I am going to vote "aye" for the reason that I was always taught that if I borrowed money or loaned any money I was to pay it back. If I took longer than I was supposed to, I always paid the interest. And further, Mr. Speaker, in 1933 this state government had \$14,000.00 left in the state treasury but owed close to \$70,000.00 in unpaid teachers' warrants at the normal schools and for the further reason that the administration that just went out of power had spent the \$120,000.00 that was earmarked by the 1933 session of the legislature, and for the reason that the conditions in 1935 had not improved any, we had to do something to keep our schools going and if my memory is correct we passed this bill through both houses in about 24 hours. I vote "aye".

Rep. Falconer: I wish to explain my vote and have my remarks recorded. I vote "aye" for the reason that I do not think it is fitting or proper for the Legislature to set an example to the people of this State for the evasion of proper debts.

Rep. Moe: I want to explain my vote. I have a list before me which was compiled in 1939 when this question came up by the Department of Public Instruction showing each and every county that received some benefit for their schools, and the amount that went to each, totalling \$1,038,000.

The total amount which was estimated shows \$990,240.03 for that purpose. I realize that the country schools did not get all the benefit out of that but at the same time there were a lot of country children educated in the schools in town altho all the taxes which this fund derived at that time for the purpose of building up this particular fund came from the real estate in North Dakota but the way it was distributed when the schools were in need, I think it was distributed for a good cause at that time and therefore I vote "No".

Rep. Bolmeier moved that the House recess until 1:00 o'clock p.m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

THIRTY-EIGHTH DAY AFTER RECESS  
AND THIRTY-NINTH DAY

Bismarck, February 9, 1945

The House reconvened at 1:00 o'clock p.m., pursuant to recess taken, Speaker Bergesen presiding.

Rep. Johnson of Cass moved that action on House Bill No. 82 be deferred until after consideration of House Bill No. 81, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 23; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Halcrow	Pyle
Allen, Pierce	Halvorson	Rohrer
Anderson	Haugen	Sailer
Bagge	Haugland	Sandness
Belzer	Heckman	Saumur
Benno	Hegge	Schimke
Bjella	Hildre	Schlafmann
Blair	Hofstrand	Schmalenberger
Bolmeier	Hogoboom	Schmidt, Morton
Boucher	Hovey	Schnell
Burau	Jennings	Schwartz
Bymers	Johnson, Richland	Seibel
Callahan	Klefstad	Sellens
Collette	Langley	Sharpe
Dalzell	Larson	Skaar
Dittmer	Leet	Smart
Drovdal	Levin	Stair
Esterby	Lillehaugen	Sticka
Falconer	Lindberg	Stanley
Fitch	Luick	Still
Fleck	Lysne	Stormon
Forseth	Moerke	Thompson, Griggs
Frank	Mollet	Wambheim
Fraser	Monson	Westby
Fuglestad	Mork	Wolf, Morton
Gainor	Nystrom	Wollitz

Graham	Ohnstad	Mr. Speaker
Grenier	Olson, Barnes	
Those voting in the negative were:		
Allen, Grand Forks	Herk	Shockman
Arndt	Isaak	Symington
Baumgartner	Johnson, Cass	Thompson, Rich'nd
Brady	Moe	Tuff
Crockett	Mortenson	Welk
Drawz	Ostgulen	Wolf, McIntosh
Ekren	Schmidt, Logan	Yirchott
Haag	Severson	
Absent and not voting:		
Bubel	Engel	Maher
Devlin	McInnes	Olson, Bowman

So the bill passed as amended and the title was agreed to.

Rep. Lillehaugen moved that the vote by which House Bill No. 81 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Cass moved that House Bill No. 140 be withdrawn, which motion prevailed and House Bill No. 140 was withdrawn.

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 14; absent and not voting, 5.

Those voting in the affirmative were:		
Acheson	Gainor	Ohnstad
Allen, Grand Forks	Graham	Olson, Barnes
Allen, Pierce	Grenier	Pyle
Anderson	Halcrow	Rohrer
Arndt	Halvorson	Sailer
Bagge	Haugen	Sandness
Baumgartner	Haugland	Saumur
Belzer	Heckman	Schimke
Benno	Hegge	Schlafmann
Bjella	Herk	Schmalenberger
Blair	Hildre	Schmidt, Morton
Bolmeier	Hofstrand	Schnell
Boucher	Hogoboom	Schwartz
Brady	Hovey	Seibel
Bubel	Jennings	Sellens
Burau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Skaar
Collette	Langley	Smart
Dalzell	Larson	Stair
Dittmer	Leet	Stanley
Drawz	Levin	Sticka
Drovdal	Lillehaugen	Still

Ekren	Lindberg	Stormon
Esterby	Luick	Thompson, Griggs
Falconer	Lysne	Wambheim
Fleck	Moerke	Westby
Forseth	Mollet	Wolf, Morton
Frank	Monson	Wollitz
Fraser	Mork	Yirchott
Fuglestad	Nystrom	Mr. Speaker
Those voting in the negative were:		
Crockett	Mortenson	Thompson, Rich'nd
Fitch	Ostgulen	Tuff
Haag	Schmidt, Logan	Welk
Isaak	Shockman	Wolf, McIntosh
Moe	Symington	
Absent and not voting:		
Devlin	McInnes	Olson, Bowman
Engel	Maher	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Fitch moved that a committee of one be appointed to escort Mr. George R. Matchan, member of the House of Representatives of the Minnesota State Legislature, to the Rostrum, which motion prevailed.

The Speaker appointed Rep. Fitch.

Rep. George R. Matchan, member of the Minnesota House of Representatives was escorted to the Rostrum and welcomed by the Speaker.

Rep. Matchan spoke briefly to the House complimenting the people of North Dakota on this very fine Capitol Building.

He made the observation that it apparently requires seven minutes for each Roll Call in the House and explained the electric Roll Call system in use in his State which requires but a fraction of a second for each Roll Call thus giving considerably more time for discussion of Bills.

Several members asked Rep. Matchan questions on the electric Roll Call system, printing and other legislative procedure, which Rep. Matchan answered in detail.

Rep. Moe moved that the House reconsider action taken by which House Bill No. 103 was lost, which motion was lost.

## SECOND READING OF HOUSE BILLS

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States Department of the Interior, Fish and Wildlife Service in Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 12; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Haugen	Sandness
Allen, Grand Forks	Haugland	Saumur
Anderson	Heckman	Schimke
Bagge	Hegge	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schnell
Blair	Hovey	Schwartz
Bolmeier	Jennings	Seibel
Boucher	Johnson, Cass	Sellens
Brady	Johnson, Richland	Severson
Bubel	Klefstad	Sharpe
Bureau	Langley	Shockman
Callahan	Larson	Skaar
Collette	Leet	Smart
Dalzell	Levin	Stair
Dittmer	Lillehaugen	Stanley
Drovdal	Lindberg	Sticka
Engel	Luick	Still
Esterby	Lysne	Stormon
Falconer	Maher	Symington
Fitch	Moerke	Thompson, Griggs
Fleck	Mollet	Tuff
Frank	Monson	Wambheim
Fraser	Mork	Welk
Fuglestad	Nystrom	Wolf, McIntosh
Graham	Ohnstad	Wolf, Morton
Grenier	Olson, Barnes	Wollitz
Haag	Ostgulen	Yirchott
Halcrow	Rohrer	Mr. Speaker
Halvorson	Sailer	

Those voting in the negative were:

Allen, Pierce	Ekren	Moe
Arndt	Gainor	Mortenson
Crockett	Isaak	Pyle
Drawz	McInnes	Westby

Absent and not voting:

Bymers	Forseth	Thompson, Rich'nd
Devlin	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

Rep. Sandness moved that the absent members be excused, which motion prevailed.

Rep. Sticka moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

### THIRTY-NINTH DAY

Bismarck, February 9, 1945

The House convened at 2:00 o'clock p.m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. T. W. Tysdal.

Roll call: All members present except Reps. Olson of Bowman, and Devlin.

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 Thirty-seventh Day After Recess and Thirty-eighth Day and recommends that the same be corrected as follows:

In line 13 on page 372 change the word "previous" to read "previously".

In line 31 on page 376 correct the typographical error in the word "appropriations".

And when so corrected recommends that the same be approved.

**REP. FUGLESTAD, Chairman.**

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 9, 1945

**Mr. Speaker:** I have the honor to return:

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Which the Senate has indefinitely postponed.

**W. J. TROUT, Secretary.**

#### MESSAGES TO THE SENATE

House of Representatives

Bismarck, February 9, 1945

**Mr. President:** I have the honor to transmit:

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund.

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

House Bill No. 60. A Bill for an Act Relating to War Emergency Fund Levies in Villages and Repealing All Acts or Parts of Acts in Conflict Therewith.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; and Repealing all Acts or Parts of Acts in Conflict Herewith.

House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof; Establishing the Office of Commissioner of Veterans' Affairs; Providing the Qualifications, the Manner of Appoint-



ment, Duties and Salary of Such Officer, and Prescribing His Duties.

House Bill No. 80. A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, Through a Misinterpretation of Section 57-2826 of the North Dakota Revised Code of 1943; Declaring an Emergency.

House Bill No. 86. A Bill for an Act Making an Appropriation of \$900,000.00 to the State Hail Insurance Department from the General Fund to Reimburse the State Hail Insurance Department for Money Diverted to the State Equalization Fund.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 9, 1945

Mr. President: I have the honor to return:

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the

Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 92, have had the same under consideration and recommend that the same do pass.

REP. BYMERS, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on School and Public Lands, to whom was referred House Concurrent Resolution "I", have had the same under consideration and recommend that the same be indefinitely postponed.

REP. SANDNESS, Chairman.

Rep. Leet moved that the report be adopted.

Rep. Forseth offered as a substitute motion that House Concurrent Resolution "I" do pass.

Rep. Johnson of Richland moved that House Concurrent Resolution "I" be re-referred to the Committee on School and Public Lands, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 160, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Saumur moved that the report be adopted.

Rep. Falconer offered as a substitute motion that House Bill No. 160 be referred to the Committee of the Whole, which motion prevailed.

Mr. Speaker: Your Committee on School and Public Lands to whom was referred House Bill No. 134, have had the same under consideration and recommend that the same do pass.

REP. SANDNESS, Chairman.

Rep. Acheson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on School and Public Lands to whom was referred House Bill No. 130, have had the same under consideration and return the same without recommendation.

REP. SANDNESS, Chairman.

Rep. Forseth moved that House Bill No. 130 do pass.

Rep. Forseth withdrew his motion.

Rep. Sandness moved that House Bill No. 130 be indefinitely postponed, which motion prevailed and House Bill No. 130 was indefinitely postponed.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 88, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Sellens 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. 107, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 101.  
House Bill No. 104.  
House Bill No. 102.  
House Bill No. 124.  
House Bill No. 137.  
House Bill No. 138.  
House Bill No. 139.  
House Bill No. 141.  
House Bill No. 142.  
House Bill No. 94.

And find the same correctly Engrossed.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS

The Committee on Appropriations (approved by Delayed Bills Committee) introduced:

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Administration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

Was read the first time and referred to the Committee on Appropriations.

#### SECOND READING OF HOUSE BILLS

House Bill No. 115. A Bill for an Act Authorizing County Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

Was read the 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:

Acheson	Halcrow	Pyle
Allen, Grand Forks	Halvorson	Rohrer
Allen, Pierce	Haugen	Sailer
Anderson	Haugland	Sandness
Arndt	Heckman	Saumur
Bagge	Hegge	Schimke
Baumgartner	Herk	Schlafmann

Belzer	Hildre	Schmalenberger
Benno	Hofstrand	Schmidt, Logan
Bjella	Hogoboom	Schmidt, Morton
Blair	Hovey	Schnell
Bolmeier	Isaak	Schwartz
Bubel	Jennings	Sellens
Burau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Dalzell	Larson	Smart
Dittmer	Leet	Stair
Drawz	Levin	Stanley
Drovdal	Lillehaugen	Sticka
Ekren	Lindberg	Still
Engel	Luick	Stormon
Esterby	Lysne	Symington
Falconer	McInnes	Thompson, Griggs
Fitch	Maher	Tuff
Fleck	Moe	Wambheim
Forseth	Moerke	Welk
Frank	Mollet	Westby
Fraser	Monson	Wolf, McIntosh
Fuglestad	Mork	Wolf, Morton
Gainor	Mortenson	Wollitz
Graham	Nystrom	Yirchott
Haag	Ostgulen	Mr. Speaker

Those voting in the negative were:  
Thompson, Richl'nd

Absent and not voting:

Boucher	Devlin	Olson, Barnes
Brady	Grenier	Olson, Bowman
Crockett	Ohnstad	Seibel

So the bill passed as amended and the title was agreed to.

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 46-0501 of the North Dakota Revised Code of 1943 as to Newspapers Qualified to do Legal Printing; File Copies with Historical Society; Publishing Notices in Adjoining County; Resumption of Suspended Publication.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Acheson	Graham	Olson, Barnes
Allen, Grand Forks	Grenier	Ostgulen
Allen, Pierce	Haag	Pyle
Anderson	Halcrow	Rohrer
Arndt	Halvorson	Sailer
Bagge	Haugen	Sandness
Baumgartner	Haugland	Schlafmann
Belzer	Heckman	Schmalenberger
Benno	Hegge	Schmidt, Logan
Bjella	Herk	Schmidt, Morton
Blair	Hildre	Schnell
Bolmeier	Hofstrand	Schwartz

Boucher	Hogoboom	Seibel
Boulden	Hovey	Severson
Bubel	Isaak	Sharpe
Bureau	Jennings	Shockman
Bymers	Johnson, Richland	Skaar
Callahan	Langley	Stanley
Collette	Larson	Sticka
Dalzell	Leet	Still
Dittmer	Levin	Stormon
Drawz	Lillehaugen	Symington
Drovdal	Lindberg	Thompson, Griggs
Ekren	Luick	Thompson, Rich'nd
Engel	Lysne	Tuff
Esterby	McInnes	Wambheim
Falconer	Maher	Welk
Fitch	Moe	Westby
Fleck	Moerke	Wolf, McIntosh
Forseth	Mollet	Wolf, Morton
Frank	Monson	Wollitz
Fraser	Mork	Yirchott
Fuglestad	Mortenson	Mr. Speaker
Gainor	Nystrom	
Absent and not voting:		
Brady	Klefstad	Schimke
Crockett	Ohnstad	Sellens
Devlin	Olson, Bowman	Smart
Johnson, Cass	Saumur	Stair

So the bill passed as amended and the title was agreed to.

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 4; absent and not voting, 11.

Those voting in the affirmative were:

Acheson	Halvorson	Rohrer
Allen, Grand Forks	Haugen	Sailer
Allen, Pierce	Haugland	Sandness
Anderson	Heckman	Saumur
Arndt	Hegge	Schimke
Bagge	Herk	Schlafmann
Baumgartner	Hildre	Schmalenberger
Benno	Hofstrand	Schmidt, Logan
Bjella	Hogoboom	Schmidt, Morton
Blair	Hovey	Schnell
Bolmeier	Isaak	Schwartz
Bubel	Jennings	Seibel
Bureau	Langley	Sellens
Callahan	Larson	Severson
Collette	Leet	Sharpe
Dalzell	Levin	Shockman
Dittmer	Lillehaugen	Skaar
Drawz	Lindberg	Stanley
Drovdal	Luick	Sticka
Ekren	Lysne	Still

Engel	McInnes	Stormon
Esterby	Maher	Symington
Falconer	Moe	Thompson, Griggs
Fleck	Moerke	Tuff
Forseth	Mollet	Wambheim
Frank	Monson	Welk
Fraser	Mork	Westby
Fuglestad	Mortenson	Wolf, McIntosh
Gainor	Nystrom	Wolf, Morton
Graham	Olson, Barnes	Wollitz
Grenier	Ostgulen	Yirchott
Haag	Pyle	Mr. Speaker
Halcrow		

Those voting in the negative were:

Boucher	Crockett	Thompson, Rich'nd
Bymers		

Absent and not voting:

Belzer	Johnson, Cass	Olson, Bowman
Brady	Johnson, Richland	Smart
Devlin	Klefstad	Stair
Fitch	Ohnstad	

So the bill passed as amended and the title was agreed to.

House Bill No. 94. A Bill for an Act Amending and Re-enacting Section 40-4501 of the North Dakota Revised Code of 1943 Relating to Police Pensions in Cities.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 62; nays, 37; absent and not voting, 13.

Those voting in the affirmative were:

Allen, Grand Forks	Graham	Olson, Barnes
Allen, Pierce	Haag	Ostgulen
Arndt	Halcrow	Pyle
Bagge	Haugen	Sailer
Baumgartner	Haugland	Sandness
Belzer	Heckman	Saumur
Benno	Herk	Schmidt, Morton
Bjella	Hildre	Sellens
Bolmeier	Hofstrand	Sharpe
Boucher	Hogoboom	Shockman
Brady	Hovey	Skaar
Bubel	Jennings	Still
Burau	Langley	Stormon
Collette	Leet	Symington
Dalzell	Levin	Thompson, Griggs
Drawz	Lindberg	Wambheim
Ekren	Luick	Welk
Falconer	McInnes	Westby
Fitch	Monson	Yirchott
Fleck	Mork	Mr. Speaker
Fraser	Nystrom	

Those voting in the negative were:

Acheson	Halvorson	Schmidt, Logan
Blair	Hegge	Schnell
Bymers	Isaak	Schwartz
Callahan	Johnson, Cass	Seibel

Crockett	Larson	Severson
Dittmer	Lillehaugen	Stanley
Drovdal	Lysne	Sticka
Engel	Maher	Thompson, Rich'nd
Esterby	Moe	Tuff
Forseth	Schimke	Wolf, McIntosh
Frank	Schlafmann	Wolf, Morton
Fuglestad	Schmalenberger	Wollitz
Grenier		
Absent and not voting:		
Anderson	Moerke	Olson, Bowman
Devlin	Mollet	Rohrer
Gainor	Mortenson	Smart
Johnson, Richland	Ohnstad	Stair
Klefstad		

So the bill passed as amended and the title was agreed to.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 9, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 38 and the President has appointed as a Conference Committee, Senators Rue, Streibel and Morgan.

W. J. TROUT, Secretary.

Rep. Fitch moved that the Speaker appoint a Conference Committee to confer with a like committee from the Senate on Senate Bill No. 38, which motion prevailed.

Rep. Fitch moved that the House do now recess for twenty minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

Rep. Schnell moved that a committee of one be appointed to escort former Rep. H. F. Swett to the rostrum. Rep. Schnell stated Mr. Swett had served in four regular and two special sessions of the North Dakota Legislature and was Floor Leader of the then majority faction in 1933.

The Speaker appointed Rep. Schnell.

Former Representative Swett was escorted to the rostrum and briefly addressed the House.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 9, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1

of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 156, have had the same under consideration and recommend that the same be amended as follows:

In the tenth line of the title of the bill, after the word "act", strike out the semi-colon and insert in lieu thereof a period and strike out the words "creating an emergency".

Lines 13, 14, 15 and 16—Strike out in their entirety.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 156 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 156 placed on the calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 153, have had the same under consideration and recommend that the same be amended as follows:

In the seventh line of the title of the bill, strike out the semi-colon and insert in lieu thereof a period and in the eighth line of the title, strike out the words "creating an emergency." in their entirety.

Lines 20, 21, 22 and 23—Strike out in their entirety.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Smart moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 153 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 153 placed on the calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 127, have had the same under consideration and recommend that the same be amended as follows:

Line 9—Strike out the figures "49-1618" and insert in lieu thereof the figures "49-0618".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 127 be amended as recommended by the



Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 127 placed on the calendar.

Rep. Bolmeier moved that the two Sargeants-at-arms and the doorkeepers be instructed to keep everyone in the corridor back from the railing while the House is in Session, which motion prevailed.

Rep. Johnson of Richland moved that the desk force be instructed to prepare a list of all committee meetings from day to day and to post such list on the bulletin board, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 75, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Cass, Chairman.

Rep. Stair moved that the report be adopted.

Rep. Allen of Grand Forks offered as a substitute motion that House Bill No. 75 do pass, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 21, have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,500.00".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and Senate Bill No. 21 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 21 placed on the calendar.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 9, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

#### SECOND READING OF HOUSE BILLS

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

Was read the second time.

Rep. Haugen asked the unanimous consent of the House to amend House Bill No. 101.

Rep. Bubel moved that the consent of the House be granted, which motion prevailed.

Rep. Haugen moved that House Bill No. 101 be amended as follows: "In line 4 at the beginning of the line insert the following words and figures:

"61-0214. Powers and Duties of the Commission. The commission shall have full and complete power, authority, and general jurisdiction":

And renumber the lines.

Which motion prevailed.

Rep. Haugen moved that the rules be suspended and that House Bill No. 101 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Graham	Olson, Barnes
Allen, Grand Forks	Grenier	Ostgulen
Allen, Pierce	Haag	Pyle
Anderson	Halcrow	Rohrer
Arndt	Halvorson	Sailer
Bagge	Haugen	Sandness
Baumgartner	Haugland	Saumur
Belzer	Heckman	Schimke
Benno	Hegge	Schmalenberger
Bjella	Herk	Schmidt, Logan
Blair	Hildre	Schmidt, Morton
Bolmeier	Hofstrand	Schnell
Boucher	Hogoboom	Schwartz
Brady	Hovey	Seibel
Bubel	Isaak	Sellens
Bureau	Johnson, Cass	Severson
Bymers	Klefstad	Sharpe
Callahan	Langley	Shockman
Collette	Larson	Skaar
Crockett	Leet	Stair
Dalzell	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	McInnes	Thompson, Richl'nd
Esterby	Maher	Tuff
Falconer	Moe	Wambheim
Fitch	Moerke	Welk
Fleck	Mollet	Westby
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fraser	Mortenson	Wollitz
Fuglestad	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker

## Absent and not voting:

Devlin	Olson, Bowman	Smart
Jennings	Schlafmann	Stanley
Johnson, Richland		

So the bill passed as amended and the title was agreed to.

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 2; absent and not voting, 10.

## Those voting in the affirmative were:

Acheson	Graham	Pyle
Allen, Grand Forks	Grenier	Rohrer
Allen, Pierce	Haag	Sailer
Anderson	Halcrow	Sandness
Arndt	Halvorson	Saumur
Bagge	Haugen	Schimke
Baumgartner	Haugland	Schmalenberger
Belzer	Heckman	Schmidt, Logan
Benno	Hegge	Schmidt, Morton
Bjella	Herk	Schnell
Blair	Hildre	Schwartz
Bolmeier	Hofstrand	Seibel
Boucher	Hogoboom	Severson
Brady	Hovey	Sharpe
Bubel	Isaak	Shockman
Burau	Johnson, Cass	Skaar
Bymers	Klefstad	Smart
Callahan	Langley	Stair
Collette	Larson	Sticka
Crockett	Leet	Still
Dalzell	Levin	Stormon
Dittmer	Lillehaugen	Symington
Drawz	Lindberg	Thompson, Griggs
Drovdal	Luick	Thompson, Richl'nd
Engel	Lysne	Tuff
Esterby	McInnes	Wambheim
Falconer	Maher	Welk
Fitch	Moerke	Westby
Fleck	Mollet	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Frank	Nystrom	Wollitz
Fraser	Ohnstad	Yirchott
Fuglestad	Ostgulen	Mr. Speaker
Gainor		

## Those voting in the negative were:

Mork                      Mortenson

## Absent and not voting:

Devlin	Moe	Schlafmann
Ekren	Olson, Barnes	Sellens
Jennings	Olson, Bowman	Stanley
Johnson, Richland		

So the bill passed as amended and the title was agreed to.

House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

Was read the second time.

And the House entered into debate on the bill.

Rep. Graham moved that all of the remarks which have so far been made on House Bill No. 104 and those which are to be made shall be taken down and recorded in the Journal, which motion was declared lost.

A division was called for which disclosed 24 voting for and 67 voting against, so the motion lost.

Rep. Allen of Grand Forks moved that all of the remarks on House Bill No. 104 which have been recorded be destroyed, which motion prevailed.

The Speaker called Rep. Symington to the chair.

Debate on House Bill No. 104 was continued.

Rep. Forseth moved that House Bill No. 104 be re-referred to the Committee on Veterans and Military Affairs, which motion prevailed.

The Speaker resumed the chair.

Rep. Smart moved that the members of the Committee on Counties be excused to hear a delegation from Sioux County, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 110. A Bill for an Act to Amend and Re-enact Section 57-3706 of North Dakota Revised Code of 1943 and Determining the Interest of Each Joint Tenant at Time of Death of One of the Joint Tenants; 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, 91; nays 0; absent and not voting, 21.

Those voting in the affirmative were:

Acheson	Halcrow	Sailer
Allen, Grand Forks	Halvorson	Sandness
Allen, Pierce	Haugen	Saumur
Anderson	Haugland	Schmalenberger
Arndt	Heckman	Schmidt, Logan
Baumgartner	Hegge	Schmidt, Morton
Belzer	Herk	Schnell
Benno	Hildre	Schwartz
Bjella	Hofstrand	Seibel
Blair	Hogoboom	Sellens
Boucher	Hovey	Severson
Bubel	Isaak	Sharpe
Bureau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Stair
Collette	Leet	Sticka
Dalzell	Levin	Still
Dittmer	Lillehaugen	Stormon
Drovdal	Lindberg	Symington
Ekren	Luick	Thompson, Griggs

Engel	Lysne	Thompson, Richl'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Frank	Monson	Westby
Fraser	Mork	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gainor	Ohnstad	Wollitz
Graham	Ostgulen	Yirchott
Grenier	Rohrer	Mr. Speaker
Haag		

## Absent and not voting:

Bagge	Forseth	Olson, Barnes
Bolmeier	Jennings	Olson, Bowman
Brady	Johnson, Cass	Pyle
Crockett	Larson	Schimke
Devlin	McInnes	Schlafmann
Drawz	Maher	Smart
Fleck	Mortenson	Stanley

So the bill passed and the title was agreed to.

Rep. Johnson of Richland moved that House Bill No. 135 be placed at the head of the Calendar, which motion prevailed.

House Bill No. 135. A Bill for an Act to Provide for the Determination of the Estate Tax Liability in Cases Where Property, Real or Personal, Is Held in Joint Tenancy and One of the Joint Tenants Dies Without Probate of His Estate in This State; Providing the Procedure for the Determination of Such Tax by the State Tax Commissioner, the Judicial Review Thereof, and for Recording a Certificate of the Tax Commissioner Upon Payment of Such Tax or Where There Is No Tax.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Acheson	Halvorson	Rohrer
Allen, Pierce	Haugen	Sailer
Anderson	Haugland	Sandness
Arndt	Heckman	Saumur
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Boucher	Hogoboom	Schwartz
Bureau	Hovey	Seibel
Bymers	Isaak	Sellens
Callahan	Johnson, Cass	Severson
Collette	Johnson, Richland	Sharpe
Crockett	Klefstad	Shockman
Dalzell	Langley	Skaar
Dittmer	Leet	Stair
Drovdal	Levin	Sticka
Ekren	Lillehaugen	Still
Engel	Lindberg	Stormon
Esterby	Luick	Symington

Falconer	Lysne	Thompson, Griggs
Fitch	McInnes	Thompson, Richl'nd
Forseth	Moe	Tuff
Frank	Moerke	Wambheim
Fraser	Mollet	Welk
Fuglestad	Monson	Westby
Gainor	Mork	Wolf, McIntosh
Graham	Nystrom	Wolf, Morton
Grenier	Ohnstad	Wollitz
Haag	Olson, Barnes	Yirchott
Halcrow	Ostgulen	Mr. Speaker
Absent and not voting:		
Allen, Grand Forks	Drawz	Olson, Bowman
Bagge	Fleck	Pyle
Bjella	Jennings	Schimke
Bolmeier	Larson	Schlafmann
Brady	Maher	Smart
Bubel	Mortenson	Stanley
Devlin		

So the bill passed and the title was agreed to.

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 0; absent and not voting, 30.

Those voting in the affirmative were:

Acheson	Haugen	Sailer
Allen, Pierce	Haugland	Saumur
Anderson	Heckman	Schmalenberger
Arndt	Herk	Schmidt, Logan
Baumgartner	Hildre	Schmidt, Morton
Belzey	Hofstrand	Schnell
Bennó	Hogoboom	Schwartz
Boucher	Hovey	Sellens
Burau	Isaak	Sharpe
Bymers	Johnson, Cass	Shockman
Callahan	Johnson, Richland	Skaar
Collette	Klefstad	Stair
Dalzell	Langley	Sticka
Dittmer	Leet	Still
Drovdal	Levin	Stormon
Ekren	Lillehaugen	Symington
Engel	Lindberg	Thompson, Griggs
Esterby	Luick	Thompson, Richl'nd
Falconer	Lysne	Tuff
Fitch	McInnes	Wambheim
Frank	Moe	Welk
Fraser	Moerke	Westby
Fuglestad	Mollet	Wolf, McIntosh
Gainor	Monson	Wolf, Morton
Grenier	Nystrom	Wollitz
Haag	Ostgulen	Yirchott
Halcrow	Rohrer	Mr. Speaker
Halvorson		

## Absent and not voting:

Allen, Grand Forks	Fleck	Olson, Barnes
Bagge	Forseth	Olson, Bowman
Bjella	Graham	Pyle
Blair	Hegge	Sandness
Bolmeier	Jennings	Schimke
Brady	Larson	Schlafmann
Bubel	Maher	Seibel
Crockett	Mork	Severson
Devlin	Mortenson	Smart
Drawz	Ohnstad	Stanley

So the bill passed and the title was agreed to.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 0; absent and not voting, 24.

Those voting in the affirmative were:

Acheson	Haugen	Sailer
Allen, Grand Forks	Haugland	Sandness
Allen, Pierce	Heckman	Saumur
Anderson	Hegge	Schmalenberger
Arndt	Herk	Schmidt, Logan
Baumgartner	Hildre	Schmidt, Morton
Belzer	Hofstrand	Schnell
Benno	Hogoboom	Schwartz
Bjella	Hovey	Sellens
Blair	Isaak	Severson
Boucher	Johnson, Cass	Sharpe
Burau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Stair
Collette	Leet	Sticka
Dalzell	Levin	Still
Dittmer	Lillehaugen	Stormon
Drovdal	Lindberg	Symington
Ekren	Luick	Thompson, Griggs
Engel	Lysne	Thompson, Richland
Esterby	McInnes	Tuff
Falconer	Moe	Wambheim
Frank	Moerke	Welk
Fraser	Mollet	Westby
Fuglestad	Monson	Wolf, McIntosh
Gainor	Nystrom	Wolf, Morton
Grenier	Olson, Barnes	Wollitz
Haag	Ostgulen	Yirchott
Halcrow	Rohrer	Mr. Speaker
Halvorson		

Absent and not voting:

Bagge	Fleck	Ohnstad
Bolmeier	Forseth	Olson, Bowman
Brady	Graham	Pyle
Bubel	Jennings	Schimke
Crockett	Larson	Schlafmann

Devlin	Maher	Seibel
Drawz	Mork	Smart
Fitch	Mortenson	Stanley

So the bill passed and the title was agreed to.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

Acheson	Halvorson	Rohrer
Allen, Grand Forks	Haugen	Sailer
Allen, Pierce	Haugland	Sandness
Anderson	Heckman	Saumur
Arndt	Hegge	Schmalenberger
Baumgartner	Herk	Schmidt, Logan
Belzer	Hildre	Schmidt, Morton
Benno	Hofstrand	Schnell
Bjella	Hogoboom	Schwartz
Blair	Hovey	Sellens
Boucher	Isaak	Severson
Burau	Johnson, Cass	Sharpe
Bymers	Johnson, Richland	Shockman
Callahan	Klefstad	Skaar
Collette	Langley	Stair
Crockett	Leet	Sticka
Dalzell	Levin	Still
Dittmer	Lillehaugen	Stormon
Drovdal	Lindberg	Symington
Ekren	Luick	Thompson, Griggs
Engel	Lysne	Thompson, Richland
Esterby	McInnes	Tuff
Falconer	Moe	Wambheim
Fitch	Moerke	Welk
Frank	Mollet	Westby
Fraser	Monson	Wolf, McIntosh
Fuglestad	Mork	Wolf, Morton
Gainor	Nystrom	Wollitz
Grenier	Ohnstad	Yirchott
Haag	Ostgulen	Mr. Speaker
Halcrow		

Absent and not voting:

Bagge	Forseth	Olson, Bowman
Bolmeier	Graham	Pyle
Brady	Jennings	Schimke
Bubel	Larson	Schlafmann
Devlin	Maher	Seibel
Drawz	Mortenson	Smart
Fleck	Olson, Barnes	Stanley

So the bill passed and the title was agreed to.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:



Senate Bill No. 90.

And the Speaker signed the same in the presence of the House.

The Speaker appointed as a Conference Committee on Senate Bill No. 38, Reps. Bolmeier, Haugland and Levin.

Rep. Johnson of Richland moved that the House recess until 12:30 o'clock p.m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

THIRTY-NINTH DAY AFTER RECESS  
AND FORTIETH DAY

Bismarck, February 10, 1945

The House reconvened at 12:30 o'clock p.m., pursuant to recess taken, Speaker Bergesen presiding.

MESSAGE FROM THE GOVERNOR  
State of North Dakota  
OFFICE OF THE GOVERNOR

Bismarck, February 8, 1945

To the House of Representatives of the State of North Dakota:

This is to notify you that I have approved the following House bill:

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

And the same has been filed with the Secretary of State today.

Very truly yours,  
FRED G. AANDAHL,  
Governor of North Dakota.

Rep. Bolmeier moved that action on House Bill No. 124 be deferred until Tuesday, which motion prevailed.

Rep. Smart moved that action on House Bill No. 160 now in General Orders be deferred one legislative day, which motion prevailed.

Rep. Nystrom requested an extension of time on House Bill No. 90.

Rep. Sailer moved that the request be granted, which motion prevailed.

Rep. Smart requested an extension of time on House Concurrent Resolution "G".

Rep. Sailer moved that the request be granted, which motion prevailed.

Rep. Sharpe requested an extension of time on Senate Bill No. 84.

Rep. Welk moved that the request be granted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 142. A Bill for an Act to Amend and Re-enact Section 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 0; absent and not voting, 32.

Those voting in the affirmative were:

Acheson	Halvorson	Schmidt, Morton
Anderson	Herk	Schnell
Arndt	Hildre	Schwartz
Baumgartner	Hofstrand	Seibel
Benno	Hogoboom	Sellens
Bjella	Isaak	Severson
Bolmeier	Johnson, Richland	Sharpe
Boucher	Klefstad	Shockman
Bubel	Langley	Skaar
Burau	Leet	Smart
Crockett	Levin	Stair
Dalzell	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	Moe	Thompson, Griggs
Esterby	Moerke	Thompson, Richland
Falconer	Mollet	Tuff
Fitch	Monson	Wambheim
Frank	Mortenson	Welk
Fraser	Nystrom	Westby
Fuglestad	Ostgulen	Wolf, McIntosh
Gainor	Rohrer	Wolf, Morton
Graham	Sailer	Wollitz
Grenier	Sandness	Yirchott
Haag	Schmalenberger	Mr. Speaker
Halcrow	Schmidt, Logan	

Absent and not voting:

Allen, Grand Forks	Fleck	Maher
Allen, Pierce	Forseth	Mork
Bagge	Haugen	Ohnstad
Belzer	Haugland	Olson, Barnes
Blair	Heckman	Olson, Bowman
Brady	Hegge	Pyle
Bymers	Hovey	Saumur
Callahan	Jennings	Schimke
Collette	Johnson, Cass	Schlafmann
Devlin	Larson	Stanley
Dittmer	McInnes	

So the bill passed as amended and the title was agreed to.

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

Was read the 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, 0; absent and not voting, 30.

Those voting in the affirmative were:

Acheson	Haugland	Schmidt, Logan
Allen, Grand Forks	Herk	Schmidt, Morton

Anderson	Hildre	Schnell
Arndt	Hofstrand	Schwartz
Baumgartner	Hogoboom	Seibel
Bjella	Hovey	Sellens
Bolmeier	Isaak	Severson
Boucher	Johnson, Richland	Sharpe
Bubel	Klefstad	Shockman
Burau	Langley	Skaar
Crockett	Leet	Smart
Dalzell	Levin	Stair
Drawz	Lillehaugen	Sticka
Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Engel	Lysne	Symington
Esterby	Moe	Thompson, Griggs
Falconer	Moerke	Thompson, Richl'nd
Fitch	Mollet	Tuff
Frank	Monson	Wambheim
Fraser	Mortenson	Welk
Fuglestad	Nystrom	Westby
Gainor	Ostgulen	Wolf, McIntosh
Graham	Rohrer	Wolf, Morton
Grenier	Sailer	Wollitz
Haag	Sandness	Yirchott
Halcrow	Schmalenberger	Mr. Speaker
Halvorson		

## Absent and not voting:

Allen, Pierce	Dittmer	Maher
Bagge	Fleck	Mork
Belzer	Forseth	Ohnstad
Benno	Haugen	Olson, Barnes
Blair	Heckman	Olson, Bowman
Brady	Hegye	Pyle
Bymers	Jennings	Saumur
Callahan	Johnson, Cass	Schimke
Collette	Larson	Schlafmann
Devlin	McInnes	Stanley

So the bill passed as amended and the title was agreed to.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 0; absent and not voting, 27.

Those voting in the affirmative were:

Acheson	Halvorson	Schmalenberger
Allen, Grand Forks	Haugland	Schmidt, Logan
Allen, Pierce	Heckman	Schmidt, Morton
Anderson	Herk	Schnell
Arndt	Hildre	Schwartz
Baumgartner	Hofstrand	Seibel
Benno	Hogoboom	Sellens
Bjella	Hovey	Severson
Bolmeier	Isaak	Sharpe
Boucher	Johnson, Richland	Shockman

Brady	Klefstad	Skaar
Bubel	Langley	Smart
Bureau	Leet	Stair
Crockett	Levin	Sticka
Dalzell	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	Moe	Thompson, Richl'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Frank	Monson	Welk
Fraser	Mortenson	Westby
Fuglestad	Nystrom	Wolf, McIntosh
Gainor	Ostgulen	Wolf, Morton
Graham	Rohrer	Wollitz
Grenier	Sailer	Yirchott
Haag	Sandness	Mr. Speaker
Halcrow		

## Absent and not voting:

Bagge	Fleck	Mork
Belzer	Forseth	Ohnstad
Blair	Haugen	Olson, Barnes
Bymers	Hegge	Olson, Bowman
Callahan	Jennings	Pyle
Collette	Johnson, Cass	Saumur
Devlin	Larson	Schimke
Dittmer	McInnes	Schlafmann
Fitch	Maher	Stanley

So the bill passed as amended and the title was agreed to.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 1; absent and not voting, 25.

Those voting in the affirmative were:

Acheson	Haugland	Schmalenberger
Allen, Grand Forks	Heckman	Schmidt, Logan
Allen, Pierce	Herk	Schmidt, Morton
Anderson	Hildre	Schnell
Arndt	Hofstrand	Schwartz
Baumgartner	Hogboom	Seibel
Bjella	Hovey	Sellens
Bolmeier	Isaak	Severson
Boucher	Johnson, Cass	Sharpe
Brady	Johnson, Richland	Shockman
Bubel	Klefstad	Skaar
Bureau	Langley	Smart
Bymers	Leet	Stair
Crockett	Levin	Sticka
Dalzell	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Engel	Lysne	Thompson, Griggs
Esterby	Maher	Thompson, Richl'nd

Falconer	Moe	Tuff
Frank	Moerke	Wambheim
Fraser	Mollet	Welk
Fuglestad	Monson	Westby
Gainor	Mortenson	Wolf, McIntosh
Graham	Nystrom	Wolf, Morton
Grenier	Ostgulen	Wollitz
Haag	Rohrer	Yirchott
Halcrow	Sailer	Mr. Speaker
Halvorson	Sandness	

Those voting in the negative were:  
Ekren

Absent and not voting:

Bagge	Fleck	Ohnstad
Belzer	Forseth	Olson, Barnes
Benno	Haugen	Olson, Bowman
Blair	Hegge	Pyle
Callahan	Jennings	Saumur
Collette	Larson	Schimke
Devlin	McInnes	Schlafmann
Dittmer	Mork	Stanley
Fitch		

So the bill passed as amended and the title was agreed to.

Rep. Leet asked the unanimous consent of the House to amend House Bill No. 137.

Rep. Bubel moved that the request be granted, which motion prevailed.

Rep. Bubel moved that House Bill No. 137 be amended as follows:

In line 15, Section 2, after the figures "38-0404" insert the following: "of the North Dakota Revised Code of 1943".

In line 26, Section 4, after the figures "38-0405" insert the following: "of the North Dakota Revised Code of 1943".

In line 2 of the title after the figures "38-0404" also after the figures "38-0405" insert the following: "of the North Dakota Revised Code of 1943", which motion prevailed.

Rep. Bubel moved that the rules be suspended and that House Bill No. 137 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Sections 38-0314 and Sections 38-0404 of the North Dakota Revised Code of 1943 and Repealing Section 38-0405 of the North Dakota Revised Code of 1943 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 0; absent and not voting, 29.

Those voting in the affirmative were:

Acheson	Halcrow	Sailer
Allen, Grand Forks	Halvorson	Schmalenberger
Allen, Pierce	Haugen	Schmidt, Logan
Anderson	Haugland	Schmidt, Morton
Arndt	Heckman	Schwartz

Baumgartner	Herk	Sellens
Benno	Hildre	Severson
Bjella	Hofstrand	Sharpe
Bolmeier	Hogoboom	Shockman
Boucher	Hovey	Skaar
Brady	Isaak	Smart
Bubel	Johnson, Richland	Stair
Burau	Klefstad	Sticka
Crockett	Leet	Still
Dalzell	Levin	Stormon
Drawz	Lillehaugen	Symington
Drovdal	Lindberg	Thompson, Griggs
Ekren	Luick	Thompson, Richl'nd
Engel	Lysne	Tuff
Esterby	Maher	Wambheim
Falconer	Moe	Welk
Frank	Moerke	Westby
Fraser	Mollet	Wolf, McIntosh
Fuglestad	Monson	Wolf, Morton
Gainor	Mortenson	Wollitz
Graham	Nystrom	Yirchott
Grenier	Ostgulen	Mr. Speaker
Haag	Rohrer	

## Absent and not voting:

Bagge	Forseth	Olson, Bowman
Belzer	Hegge	Pyle
Blair	Jennings	Sandness
Bymers	Johnson, Cass	Saumur
Callahan	Langley	Schimke
Collette	Larson	Schlafmann
Devlin	McInnes	Schnell
Dittmer	Mork	Seibel
Fitch	Ohnstad	Stanley
Fleck	Olson, Barnes	

So the bill passed as amended and the title was agreed to.

Rep. Bubel moved that the unanimous consent of the House be granted to amend the title of House Bill No. 128 as follows:

In the title of the bill after the figures "1943;" strike out the word "Creating" and insert in lieu thereof the word "Declaring", which motion prevailed.

Rep. Bubel moved that the rules be suspended and that House Bill No. 128 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 128. A Bill for an Act Continuing in Force and Effect All Standing and Continuing Appropriations Omitted from the North Dakota Revised Code of 1943; 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, 0; absent and not voting, 31.

Those voting in the affirmative were:

Acheson	Halcrow	Rohrer
Allen, Grand Forks	Halvorson	Sailer
Allen, Pierce	Haugen	Schmalenberger

Anderson	Haugland	Schmidt, Morton
Arndt	Herk	Schmidt, Logan
Baumgartner	Hildre	Schwartz
Bjella	Hofstrand	Sellens
Bolmeier	Hogoboom	Sharpe
Boucher	Hovey	Shockman
Brady	Isaak	Skaar
Bubel	Johnson, Richland	Smart
Burau	Klefstad	Stair
Crockett	Langley	Sticka
Dalzell	Leet	Still
Drawz	Levin	Stormon
Drovdal	Lillehaugen	Symington
Ekren	Lindberg	Thompson, Griggs
Engel	Luick	Thompson, Rich'nd
Esterby	Lysne	Tuff
Falconer	Maher	Wambheim
Frank	Moe	Welk
Fraser	Moerke	Westby
Fuglestad	Mollet	Wolf, McIntosh
Gainor	Monson	Wolf, Morton
Graham	Mortenson	Wollitz
Grenier	Nystrom	Yirchott
Haag	Ostgulen	Mr. Speaker

Absent and not voting:

Bagge	Forseth	Olson, Bowman
Belzer	Heckman	Pyle
Benno	Hegge	Sandness
Blair	Jennings	Saumur
Bymers	Johnson, Cass	Schimke
Callahan	Larson	Schlafmann
Collette	McInnes	Schnell
Devlin	Mork	Seibel
Dittmer	Ohnstad	Severson
Fitch	Olson, Barnes	Stanley
Fleck		

So the bill passed as amended and the title was agreed to.

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 76; nays, 8; absent and not voting, 28.

Those voting in the affirmative were:

Acheson	Haugen	Rohrer
Allen, Grand Forks	Haugland	Sailer
Allen, Pierce	Heckman	Schmidt, Morton
Anderson	Herk	Schnell
Arndt	Hildre	Schwartz
Baumgartner	Hofstrand	Sellens
Bjella	Hogoboom	Severson
Bolmeier	Hovey	Sharpe
Boucher	Isaak	Shockman
Brady	Johnson, Richland	Skaar



Bubel	Klefstad	Smart
Burau	Langley	Stair
Crockett	Leet	Sticka
Dalzell	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Lysne	Symington
Ekren	Luick	Thompson, Griggs
Esterby	Maher	Thompson, Richl'nd
Falconer	Moe	Wambheim
Fraser	Moerke	Welk
Fuglestad	Mollet	Westby
Gainor	Monson	Wolf, Morton
Graham	Mortenson	Wollitz
Grenier	Nystrom	Yirchott
Haag	Ostgulen	Mr. Speaker
Halcrow		

Those voting in the negative were:

Engel	Levin	Tuff
Frank	Schmalenberger	Wolf, McIntosh
Halvorson	Schmidt, Logan	

Absent and not voting:

Bagge	Fleck	Olson, Barnes
Belzer	Forseth	Olson, Bowman
Benno	Hegge	Pyle
Blair	Jennings	Sandness
Bymers	Johnson, Cass	Saumur
Callahan	Larson	Schimke
Collette	McInnes	Schlafmann
Devlin	Mork	Seibel
Dittmer	Ohnstad	Stanley
Fitch		

So the bill passed and the title was agreed to.

#### GENERAL ORDERS

Rep. Sticka moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Sticka to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 32.

Line 4—Strike out the figures "\$595,850.00" and insert in lieu thereof the figures "\$584,650.00".

Line 11—Strike out the figures "\$6,500.00" and insert in lieu thereof the figures "\$5,700.00".

Line 17—Strike out the figures "\$224,900.00" and insert in lieu thereof the figures "\$224,100.00".

Line 20—Strike out the figures "\$6,500.00" and insert in lieu thereof the figures "\$5,700.00".

Line 21—Strike out the figures "144,600.00" and insert in lieu thereof the figures "135,000.00".

Line 26—Strike out the figures "\$370,950.00" and insert in lieu thereof the figures "\$360,550.00".

Line 27—Strike out the figures "\$595,850.00" and insert in lieu thereof the figures "\$584,650.00".

And when so amended recommend the same do pass.

REP. STICKA, Chairman,  
Committee of the Whole.

Rep. Wolf of McIntosh moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

### SECOND READING OF SENATE BILLS

Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Diseased Veterans, and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 0; absent and not voting, 28.

Those voting in the affirmative were:

Acheson	Halvorson	Schmalenberger
Allen, Grand Forks	Haugen	Schmidt, Logan
Allen, Pierce	Haugland	Schmidt, Morton
Anderson	Heckman	Schnell
Arndt	Herk	Schwartz
Baumgartner	Hildre	Seibel
Benno	Hofstrand	Sellens
Bjella	Hogoboom	Severson
Bolmeier	Hovey	Sharpe
Boucher	Johnson, Richland	Shockman
Brady	Klefstad	Skaar
Bubel	Langley	Smart
Burau	Leet	Stair
Dalzell	Levin	Sticka
Drawz	Lillehaugen	Still
Drovdal	Lindberg	Stormon
Ekren	Lysne	Symington
Engel	Luick	Thompson, Griggs
Esterby	Maher	Thompson, Richl'nd
Falconer	Moe	Tuff
Frank	Moerke	Wambheim
Fraser	Mollet	Welk
Fuglestad	Monson	Westby
Gainor	Mortenson	Wolf, McIntosh
Graham	Nystrom	Wolf, Morton
Grenier	Ostgulen	Wollitz
Haag	Rohrer	Yirchott
Halcrow	Sailer	Mr. Speaker

Absent and not voting:

Bagge	Fleck	Ohnstad
Belzer	Forseth	Olson, Barnes
Blair	Hegge	Olson, Bowman
Bymers	Isaak	Pyle
Callahan	Jennings	Sandness
Collette	Johnson, Cass	Saumur
Crockett	Larson	Schimke

Devlin	McInnes	Schlafmann
Dittmer	Mork	Stanley
Fitch		

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 5; absent and not voting, 27.

Those voting in the affirmative were:

Allen, Grand Forks	Haugen	Sailer
Allen, Pierce	Haugland	Schmalenberger
Anderson	Heckman	Schmidt, Logan
Arndt	Herk	Schmidt, Morton
Baumgartner	Hildre	Schnell
Bjella	Hofstrand	Schwartz
Bolmeier	Hogoboom	Seibel
Boucher	Hovey	Sellens
Bubel	Isaak	Severson
Burau	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Crockett	Langley	Skaar
Dalzell	Leet	Smart
Drawz	Levin	Sticka
Drovdal	Lillehaugen	Stormon
Ejken	Lindberg	Symington
Engel	Luick	Thompson, Griggs
Esterby	Lysne	Tuff
Falconer	McInnes	Wambheim
Frank	Maher	Welk
Fuglestad	Moerke	Westby
Gainor	Mollet	Wolf, McIntosh
Graham	Monson	Wolf, Morton
Grenier	Mortenson	Wollitz
Haag	Nystrom	Yirchott
Halcrow	Ostgulen	Mr. Speaker
Halvorson	Rohrer	

Those voting in the negative were:

Acheson	Moe	Thompson, Richl'nd
Brady	Still	

Absent and not voting:

Bagge	Fleck	Olson, Barnes
Belzer	Forseth	Olson, Bowman
Benno	Fraser	Pyle
Blair	Hegge	Sandness
Bymers	Jennings	Saumur
Collette	Johnson, Cass	Schimke
Devlin	Larson	Schlafmann
Dittmer	Mork	Stair
Fitch	Ohnstad	Stanley

So the bill passed as amended and the title was agreed to and the emergency clause was declared carried.

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 0; absent and not voting, 28.

Those voting in the affirmative were:

Acheson	Halvorson	Sailer
Allen, Grand Forks	Haugen	Schmalenberger
Allen, Pierce	Haugland	Schmidt, Logan
Anderson	Heckman	Schmidt, Morton
Arndt	Herk	Schnell
Baumgartner	Hildre	Schwartz
Bjella	Hofstrand	Seibel
Bolmeier	Hogoboom	Sellens
Boucher	Hovey	Severson
Brady	Isaak	Sharpe
Bubel	Johnson, Richland	Shockman
Burau	Klefstad	Skaar
Callahan	Langley	Smart
Crockett	Leet	Sticka
Dalzell	Levin	Still
Drawz	Lillehaugen	Stormon
Drovdal	Lindberg	Symington
Ekren	Luick	Thompson, Griggs
Engel	Lysne	Thompson, Rich'nd
Esterby	McInnes	Tuff
Falconer	Maher	Wambheim
Frank	Moerke	Welk
Fuglestad	Mollet	Westby
Gainor	Monson	Wolf, McIntosh
Graham	Mortenson	Wolf, Morton
Grenier	Nystrom	Wollitz
Haag	Ostgulen	Yirchott
Halcrow	Rohrer	Mr. Speaker

Absent and not voting:

Bagge	Forseth	Olson, Barnes
Belzer	Fraser	Olson, Bowman
Benno	Hegge	Pyle
Blair	Jennings	Sandness
Bymers	Johnson, Cass	Saumur
Collette	Larson	Schimke
Devlin	Moe	Schlafmann
Dittmer	Mork	Stair
Fitch	Ohnstad	Stanley
Fleck		

So the bill passed as amended and the title was agreed to.

Rep. Graham moved that the rules be suspended and that the House reconsider its action whereby House Bill No. 95 was indefinitely postponed, which motion prevailed.

Rep. Graham moved that House Bill No. 95 be re-referred to the Committee on Counties, which motion was seconded.

Rep. Wolf of McIntosh offered as a substitute motion that action just taken on House Bill No. 95 be reconsidered, which motion prevailed.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 10, 1945

Mr. President: I have the honor to return:

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, February 10, 1945

Mr. President: I have the honor to transmit:

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States Department of the Interior, Fish and Wildlife Service in Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

House Bill No. 115. A Bill for an Act Authorizing County Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 46-0501 of the North Dakota Revised Code of 1943 as to Newspapers Qualified to do Legal Printing; File Copies with Historical Society; Publishing Notices in Adjoining County; Resumption of Suspended Publication.

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

House Bill No. 94. A Bill for an Act Amending and Re-enacting Section 40-4501 of the North Dakota Revised Code of 1943 Relating to Police Pensions in Cities.

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.

House Bill No. 110. A Bill for an Act to Amend and Re-enact Section 57-3706 of North Dakota Revised Code of 1943 and Determining the Interest of Each Joint Tenant at Time of Death of One of the Joint Tenants; Repealing All Acts or Parts of Acts in Conflict Herewith:

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, February 10, 1945

Mr. President: I have the honor to transmit:

House Bill No. 135. A Bill for an Act to Provide for the Determination of the Estate Tax Liability in Cases Where Property, Real or Personal, Is Held in Joint Tenancy and One of the Joint Tenants Dies Without Probate of His Estate in This State; Providing the Procedure for the Determination of Such Tax by the State Tax Commissioner, the Judicial Review Thereof, and for Recording a Certificate of the Tax Commissioner Upon Payment of Such Tax or Where There Is No Tax.

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

Rep. Sailer moved that the absent members be excused, which motion prevailed.

Rep. Burau moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

#### FORTIETH DAY

Bismarck, February 10, 1945

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. T. W. Tysdal.

Roll call: All members present except Reps. Olson of Bowman, Bagge, Blair, Collette, Devlin, Dittmer, Fleck, Forseth, Hegge, Johnson of Cass, Larson, Mork, Ohnstad, Olson of Barnes, Pyle, Saumur, Schimke, Schlafmann and Stanley.

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

Thirty-eighth Day After Recess and the Thirty-ninth Day and recommends that the same be corrected as follows:

In line 8, page 401, strike out the word "Section".

In line 9, change Capital "C" in Commission to a small "c" and add the word "shall" between commission and have.

In line 10, change the period to a colon (:).

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 10, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

Which the Senate has amended.

W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 173, have had the same under consideration and recommend that the same be amended as follows:

In the next to the last line of the title after the word "received;" strike the following words "making certain exceptions;"

In line twenty-four of the original bill after the word "herein" strike the "semi-colon" and insert in lieu thereof a "period" and strike the remainder of the line, and all of line twenty-five, all of line twenty-six and twenty-seven.

Further amend the bill by renumbering the lines as necessary.

And when so amended recommend the same do pass.

REP. BOLMEIER, Chairman.

Rep. Wolf of McIntosh 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 Concurrent Resolution "Q", have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 47, have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title after the word "purposes" strike the "period" and add the following language "and repealing Section 49-0602 and Section 49-0603 of the North Dakota

Revised Code of 1943, and all acts or parts of acts in conflict herewith."

In the last line of Section I after the word "therein" and before the word "less" insert the following words "by the Utility".

In the first line of Section 3 after the word "the" at the end of the line insert the following words "North Dakota" and further amend the bill by renumbering the lines as necessary.

And when so amended recommend the same do pass.

REP. BOLMEIER, Chairman.

Rep. Falconer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Safety, to whom was referred Senate Bill No. 48, have had the same under consideration and recommend that the same be amended as follows:

In line 10 strike out the words "or to be employed in any of said places".

And when so amended recommend the same do pass.

REP. WESTBY, Chairman.

Rep. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 127.

House Bill No. 153.

House Bill No. 156.

And find the same correctly Engrossed.

REP. LEET, Chairman.

Rep. Allen of Grand Forks, moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Bymers moved that House Bill No. 92 be re-referred to the Committee on Agriculture, which motion prevailed.

Rep. Johnson of Richland moved that House Bill No. 134 be re-referred to the Committee on School and Public Land, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 88. A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged to Secure Loans of State School Funds and Conveyed to the State by the Mortgagors or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the



roll was called and there were ayes, 75; nays, 2; absent and not voting, 35.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Haugen	Schmalenberger
Anderson	Haugland	Schmidt, Morton
Arndt	Heckman	Schwartz
Baumgartner	Herk	Schnell
Bjella	Hildre	Seibel
Brady	Hofstrand	Sellens
Bubel	Hogoboom	Severson
Bureau	Isaak	Shockman
Bymers	Jennings	Skaar
Callahan	Klefstad	Stair
Crockett	Langley	Sticka
Dalzell	Leet	Still
Drovdal	Levin	Stormon
Ekren	Lillehaugen	Symington
Engel	Lindberg	Thompson, Griggs
Esterby	Lysne	Thompson, Richl'nd
Falconer	Maher	Tuff
Frank	Moerke	Wambheim
Fraser	Mollet	Welk
Fuglestad	Monson	Wolf, McIntosh
Gainor	Mortenson	Wollitz
Graham	Nystrom	Yirchott
Grenier	Ostgulen	Mr. Speaker

Those voting in the negative were:

Boucher Moe

Absent and not voting:

Bagge	Halvorson	Pyle
Belzer	Hegge	Sandness
Benno	Hovey	Saumur
Blair	Johnson, Cass	Schimke
Bolmeier	Johnson, Richland	Schlafmann
Collette	Larson	Schmidt, Logan
Devlin	Luick	Sharpe
Dittmer	McInnes	Smart
Drawz	Mork	Stanley
Fitch	Ohnstad	Westby
Fleck	Olson, Barnes	Wolf, Morton
Forseth	Olson, Bowman	

So the bill passed and the title was agreed to.

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use of the Attorney General in Administering the Provisions of Said Act During the Biennium Ending June 30, 1947, Providing That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 75; nays, 0; absent and not voting, 37.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sailer
Arndt	Haugland	Schmalenberger
Baumgartner	Heckman	Schmidt, Morton
Bjella	Herk	Schnell
Boucher	Hildre	Schwartz
Brady	Hofstrand	Seibel
Bubel	Hogoboom	Sellens
Bureau	Hovey	Severson
Bymers	Isaak	Shockman
Callahan	Langley	Skaar
Crockett	Leet	Stair
Dalzell	Levin	Sticka
Drovdal	Lillehaugen	Still
Ekren	Lindberg	Stormon
Engel	Lysne	Symington
Esterby	Maher	Thompson, Griggs
Falconer	Moe	Tuff
Frank	Moerke	Welk
Fraser	Mollet	Wolf, McIntosh
Fuglestad	Monson	Wollitz
Gainor	Mortenson	Yirchott
Graham	Nystrom	Mr. Speaker

Absent and not voting:

Bagge	Hegge	Sandness
Belzer	Jennings	Saumur
Benno	Johnson, Cass	Schimke
Blair	Johnson, Richland	Schlafmann
Bolmeier	Klefstad	Schmidt, Logan
Collette	Larson	Sharpe
Devlin	Luick	Smart
Dittmer	McInnes	Stanley
Drawz	Mork	Thompson, Rich'nd
Fitch	Ohnstad	Wambheim
Fleck	Olson, Barnes	Westby
Forseth	Olson, Bowman	Wolf, Morton
Haugen		

So the bill passed as amended and the title was agreed to.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 10, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State Officials of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 57-1529 of the North Dakota Revised Code of 1943, Relating to War Emergency Fund; Cities.

House Bill No. 45. A Bill for an Act Providing a Method

for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.

House Bill No. 59. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registration and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

House Bill No. 64. A Bill for an Act Amending and Re-enacting Section 19-1403 of the North Dakota Revised Code of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### SECOND READING OF HOUSE BILLS

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 70; nays, 3; absent and not voting, 39.

Those voting in the affirmative were:

Acheson	Halvorson	Rohrer
Allen, Pierce	Haugland	Sailer
Arndt	Heckman	Schmalenberger
Bjella	Hegge	Schmidt, Morton
Boucher	Herk	Schnell
Brady	Hildre	Schwartz
Bubel	Hofstrand	Seibel
Bureau	Hogoboom	Sellens
Bymers	Hovey	Severson
Callahan	Isaak	Shockman
Collette	Johnson, Richland	Skaar
Dalzell	Klefstad	Stair
Drovdal	Langley	Sticka
Ekren	Leet	Still
Engel	Levin	Stormon
Esterby	Lillehaugen	Symington
Falconer	Lindberg	Thompson, Griggs
Fraser	Lysne	Tuff
Fuglestad	Maher	Welk

Gainor	Monson	Wolf, McIntosh
Graham	Mortenson	Wollitz
Grenier	Nystrom	Yirchott
Haag	Ostgulen	Mr. Speaker
Halcrow		

Those voting in the negative were:

Crockett	Frank	Moe
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Absent and not voting:

Allen, Grand Forks	Forseth	Pyle
Anderson	Haugen	Sandness
Bagge	Jennings	Saumur
Baumgartner	Johnson, Cass	Schimke
Belzer	Larson	Schlafmann
Benno	Luick	Schmidt, Logan
Blair	McInnes	Sharpe
Bolmeier	Moerke	Smart
Devlin	Mollet	Stanley
Dittmer	Mork	Thompson, Richl'nd
Drawz	Ohnstad	Wambheim
Fitch	Olson, Barnes	Westby
Fleck	Olson, Bowman	Wolf, Morton

So the bill passed as amended and the title was agreed to.

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund 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, 70; nays, 0; absent and not voting, 42.

Those voting in the affirmative were:

Acheson	Halcrow	Ostgulen
Allen, Pierce	Halvorson	Rohrer
Arndt	Haugland	Sailer
Bjella	Heckman	Schmalenberger
Boucher	Herk	Schmidt, Morton
Brady	Hildre	Schnell
Bubel	Hofstrand	Schwartz
Bureau	Hogoboom	Seibel
Bymers	Isaak	Sellens
Callahan	Johnson, Richland	Severson
Collette	Klefstad	Skaar
Crockett	Langley	Stair
Dalzell	Leet	Sticka
Drovdal	Levin	Still
Ekren	Lillehaugen	Stormon
Engel	Lindberg	Symington
Esterby	Luick	Thompson, Griggs
Falconer	Lysne	Tuff
Frank	Maher	Welk
Fuglestad	Moe	Wolf, McIntosh
Gainor	Monson	Wollitz
Graham	Mortenson	Yirchott
Grenier	Nystrom	Mr. Speaker
Haag		

## Absent and not voting:

Allen, Grand Forks	Fraser	Pyle
Anderson	Haugen	Sandness
Bagge	Hovey	Saumur
Baumgartner	Hegge	Schimke
Belzer	Jennings	Schlafmann
Benno	Johnson, Cass	Schmidt, Logan
Blair	Larson	Sharpe
Bolmeier	McInnes	Shockman
Devlin	Moerke	Smart
Dittmer	Mollet	Stanley
Drawz	Mork	Thompson, Rich'nd
Fitch	Ohnstad	Wambheim
Fleck	Olson, Barnes	Westby
Forseth	Olson, Bowman	Wolf, Morton

So the bill passed as amended and the title was agreed to.

Rep. Crockett moved that action on House Bill No. 75 be deferred until Tuesday after two o'clock, which motion prevailed.

Rep. Wolf of McIntosh moved that action on Senate Bill No. 107 be deferred until after two o'clock Tuesday, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 0; absent and not voting, 35.

Those voting in the affirmative were:

Acheson	Haugland	Rohrer
Allen, Pierce	Heckman	Sailer
Arndt	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Morton
Boucher	Hofstrand	Schnell
Brady	Hogoboom	Schwartz
Bubel	Hovey	Seibel
Burau	Isaak	Sellens
Bymers	Johnson, Richland	Severson
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Crockett	Leet	Stair
Dalzell	Levin	Sticka
Drovdal	Lillehaugen	Still
Ekren	Lindberg	Stormon
Engel	Luick	Symington
Esterby	Lysne	Thompson, Griggs
Falconer	McInnes	Thompson, Rich'nd
Frank	Maher	Tuff
Fuglestad	Moe	Wambheim
Gainor	Moerke	Welk
Graham	Mollet	Wolf, McIntosh
Grenier	Monson	Wollitz
Haag	Mortenson	Yirchott

Halcrow	Nystrom	Mr. Speaker
Halvorson	Ostgulen	
Absent and not voting:		
Allen, Grand Forks	Fleck	Pyle
Anderson	Forseth	Sandness
Bagge	Fraser	Saumur
Baumgartner	Haugen	Schimke
Belzer	Hegge	Schlafmann
Benno	Jennings	Schmidt, Logan
Blair	Johnson, Cass	Sharpe
Bolmeier	Larson	Smart
Devlin	Mork	Stanley
Dittmer	Ohnstad	Westby
Drawz	Olson, Barnes	Wolf, Morton
Fitch	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

Rep. Drovdal moved that the House do now recess for twenty minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service of the United States to Hunt, Fish or Trap, Without License Therefor for the Duration of the Present War, and for Six Months Thereafter, While on Furlough.

Was read the first time and referred to the Committee on Game and Fish.

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Was read the first time and referred to the Committee on Federal Relations.

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund of the State, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and

Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Was read the first time and referred to the Committee on Highways and Bridges.

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Was read the first time and referred to the Committee on School and Public Lands.

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State, Its Agencies, Municipalities and Other Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Committee on Federal Relations.

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 44-0409 of the Revised Codes of North Dakota for 1943 for the Prevention of Nepotism and Prohibiting the Appointment by the Head of Any Executive or Administrative Department of This State, or of His or Her Wife or Husband, Son or Daughter, Brother or Sister, to Any Position in Said Department or Under the Control of Such Department Head; Providing Penalties Therefor; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Pay the Legislative Deficit of the 1944 Special Session, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Creating an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Was read the first time and referred to the Committee on Appropriations.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 10, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Chapter 36-02 of the North Dakota Revised Code of 1943.

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax; Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Senate Bill No. 144. A Bill for an Act Transferring Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 10, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 47. A Bill for an Act Legalizing the Operation of Certain School Districts and Fixing the Tax Levies Therein, and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Chapter 36-02 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Was read the first time and referred to the Committee on Judiciary.



Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Senate Bill No. 144. A Bill for an Act Transferring Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Was read the first time and referred to the Committee on Appropriations.

Rep. Crockett moved that the absent members be excused, which motion prevailed.

Rep. Johnson of Richland moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

## FORTY-SECOND DAY

Bismarck, February 12, 1945

The House convened at 2:00 o'clock p.m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Major Walter Lee.

Roll call: All members present except Reps. Olson of Bowman, Belzer, Bolmeier, Crockett and Larson.

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 Thirty-ninth Day after Recess and the Fortieth Day and find the same to be correct.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 137.

And find the same correctly Re-engrossed.

REP. LEET, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 32.

House Bill No. 128.

And find the same correctly Engrossed.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 36.

House Bill No. 39.

House Bill No. 45.

House Bill No. 47.

House Bill No. 59.

House Bill No. 76.

House Bill No. 77.

And find the same correctly Enrolled.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 64.

And find the same correctly Enrolled.

REP. LEET, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed, and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 165, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Pierce, Chairman.

Rep. Fuglestad moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 92, have had the same under consideration and recommend that the same do pass.

REP. BYMERS, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education, to whom was referred House Bill No. 123, have had the same under consideration and recommend that the same do pass.

REP. LANGLEY, Chairman.

Rep. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 174, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. LANGLEY, Chairman.

Rep. Gainor moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 121, have had the same under consideration and recommend that the same do pass.

REP. LANGLEY, Chairman.

Rep. Mork moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: The majority of your Committee on Appropriations to whom was referred House Bill No. 8, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Grand Forks

REP. BJELLA

REP. CALLAHAN

REP. HECKMAN

REP. LUICK

REP. SEVERSON

REP. SMART

REP. SYMINGTON

REP. STORMON

REP. WAMBHEIM

REP. JOHNSON of Cass, Chairman.

Rep. Smart moved that the report be adopted.

Mr. Speaker: The minority of your Committee on Appropriations to whom was referred House Bill No. 8, have had the same under consideration and recommend that the same be placed in General Orders for amendments.

REP. GRAHAM  
 REP. HAAG  
 REP. LILLEHAUGEN  
 REP. WOLF of Morton

Rep. Lillehaugen offered as a substitute motion that the report of the minority be substituted for the report of the majority, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives  
 Bismarck, February 12, 1945

Mr. Speaker: I have the honor to transmit:

House Bill No. 142. A Bill for an Act to Amend and Re-enact Section 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 38-0314 and Section 38-0404 of the North Dakota Revised Code of 1943 and Repealing Section 38-0405 of the North Dakota Revised Code of 1943 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

House Bill No. 128. A Bill for an Act Continuing in Force and Effect All Standing and Continuing Appropriations Omitted from the North Dakota Revised Code of 1943; Declaring an Emergency.

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

House Bill No. 88. A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged to Secure Loans of State School Funds and Conveyed to the State by the Mortgagors or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use

of the Attorney General in Administering the Provisions of Said Act During the Biennium Ending June 30, 1947, Providing That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act.

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State.

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund of the State, and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 12, 1945

Mr. President: I have the honor to return:

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 12, 1945

Mr. President: I have the honor to return:

Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Deceased Veterans, and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 108, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BENNO, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the vote by which Senate Bill No. 108 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Veterans and Military Affairs, to whom was referred Senate Bill No. 35, have had the same under consideration and recommend that the same do pass.

REP. SEVERSON, Chairman.

Rep. Welk moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 10, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Callahan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 20, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 4, have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures "\$100.00" and insert in lieu thereof the figures "\$200.00".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Callahan 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. 18, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

The Speaker announced the following committee appointments to replace assignments held by the late Rep. Boulden:

Election and Election Privileges—Rep. Fuglestad.

Highways and Bridges—Rep. Drawz.

Tax and Tax Laws—Rep. Gainor.

Temperance—Rep. Heckman.

Insurance—Rep. Collette.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 64.

House Bill No. 36.

House Bill No. 39.

House Bill No. 45.

House Bill No. 59.

House Bill No. 76.

House Bill No. 77.

House Bill No. 47.

And the Speaker signed the same in the presence of the House.

Rep. Johnson of Richland moved that a committee of three be appointed to investigate the matter of distributing bills, which motion prevailed.

The Speaker appointed Reps. Johnson of Richland, Lillehaugen and Allen of Grand Forks.

#### FIRST READING OF HOUSE RESOLUTION

Reps. Brady and Fitch introduced:

House Concurrent Resolution "V."

Was read the first time and referred to the Committee on Ways and Means.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 12, 1945

Mr. President: I have the honor to transmit:

House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State Officials of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 57-1529 of the North Dakota Revised Code of 1943, Relating to War Emergency Fund; Cities.

House Bill No. 45. A Bill for an Act Providing a Method for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.

House Bill No. 59. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registration and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

House Bill No. 47. A Bill for an Act Legalizing the Operation of Certain School Districts and Fixing the Tax Levies Therein, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 12, 1945

Mr. President: I have the honor to transmit:

House Bill No. 64. A Bill for an Act Amending and Re-enacting Section 19-1403 of the North Dakota Revised Code of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Halvorson	Rohrer
Anderson	Haugen	Sailer
Arndt	Haugland	Sandness
Bagge	Heckman	Saumur
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sellens
Bubel	Jennings	Severson
Bureau	Johnson, Cass	Sharpe
Bymers	Johnson, Richland	Shoekman
Callahan	Klefstad	Skaar
Collette	Langley	Smart
Crockett	Leet	Stair
Dalzell	Levin	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Esterby	Maher	Thompson, Griggs
Falconer	Moe	Thompson, Rich'nd
Fitch	Moerke	Tuff
Fleck	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Graham	Olson, Barnes	Mr. Speaker
Grenier		

Those voting in the negative were:

Schimke

Absent and not voting:

Bolmeier	Larson	Schlafmann
Ekren	McInnes	Wambheim
Engel	Olson, Bowman	

So the bill passed as amended and the title was agreed to.  
Rep. Johnson of Richland moved that all new members of



the Twenty-ninth Legislative Assembly who have an interest in House Concurrent Resolution "Q" be granted the consent of the House to vote on the adoption of House Concurrent Resolution "Q", which motion prevailed.

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Halvorson	Pyle
Allen, Grand Forks	Haugen	Rohrer
Allen, Pierce	Haugland	Sailer
Anderson	Heckman	Sandness
Arndt	Hegge	Saumur
Bagge	Herk	Schimke
Baumgartner	Hildre	Schmalenberger
Belzer	Hofstrand	Schmidt, Logan
Benno	Hogoboom	Schmidt, Morton
Bjella	Hovey	Schnell
Blair	Isaak	Schwartz
Boucher	Jennings	Seibel
Brady	Johnson, Cass	Sellens
Bubel	Johnson, Richland	Severson
Bureau	Klefstad	Sharpe
Bymers	Langley	Shockman
Callahan	Larson	Skaar
Collette	Leet	Smart
Crockett	Levin	Stair
Dalzell	Lillehaugen	Stanley
Devlin	Lindberg	Sticka
Dittmer	Luick	Still
Drawz	Lysne	Stormon
Drovdal	McInnes	Symington
Esterby	Maher	Thompson, Griggs
Falconer	Moe	Thompson, Richl'nd
Fitch	Moerke	Tuff
Fleck	Mollet	Wambheim
Frank	Monson	Welk
Fraser	Mork	Westby
Fuglestad	Mortenson	Wolf, McIntosh
Gainor	Nystrom	Wolf, Morton
Grenier	Ohnstad	Wollitz
Graham	Olson, Barnes	Yirchott
Haag	Ostgulen	Mr. Speaker
Halcrow		
Absent and not voting:		
Bolmeier	Engel	Olson, Bowman
Ekren	Forseth	Schlafmann

So the resolution was adopted.

Rep. Fitch moved that Senate Bill No. 48 be re-referred to the Committee on Public Safety, which motion prevailed.

Rep. Johnson of Richland returned House Bill No. 226 and

moved that it be re-referred to the Committee on Tax and Tax Laws, which motion prevailed.

#### GENERAL ORDERS

Rep. Allen of Grand Forks moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Allen of Grand Forks to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 160.

Which was deferred one legislative day.

House Bill No. 173.

In the next to the last line of the title after the word "received;" strike the following words "making certain exceptions;"

In line twenty-four of the original bill after the word "herein" strike the "semi-colon" and insert in lieu thereof a "period" and strike the remainder of the line, and all of line twenty-five, all of line twenty-six and twenty-seven.

Further amend the bill by renumbering the lines as necessary.

And when so amended recommend the same do pass.

Senate Bill No. 47.

In the last line of the title after the word "purposes" strike the "period" and add the following language "and repealing Section 49-0602 and Section 49-0603 of the North Dakota Revised Code of 1943, and all acts or parts of acts in conflict herewith."

In the last line of Section I after the word "therein" and before the word "less" insert the following words "by the Utility".

In the first line of Section 3 after the word "the" at the end of the line insert the following words "North Dakota" and further amend the bill by renumbering the lines as necessary.

And when so amended recommend the same do pass.

REP. ALLEN of Grand Forks, Chairman,  
Committee of the Whole.

Rep. Falconer moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 12, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers, and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 12, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the Revised Code of 1943 Relating to Fines and Penalties.

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Senate Bill No. 161. A Bill for an Act to Require Operators of Coal Mines Located Within the State of North Dakota to Furnish and Deliver Coal to Farmers, Truckers and Other Persons, Whenever Such Farmers, Truckers, or Other Persons Call for Coal at the Mines; Providing for Penalties 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

Rep. Fitch moved that the House do not concur in the Senate amendments to House Bill No. 49, which motion prevailed.

Rep. Fitch moved that a Conference Committee be appointed to act with a like Committee from the Senate on House Bill No. 49, which motion prevailed.

The Speaker appointed Reps. Fitch, Olson of Barnes and Hovey.

Rep. Johnson of Richland moved that the House do not concur in the Senate amendments to House Bill No. 48, which motion prevailed.

Rep. Johnson of Richland moved that a Conference Committee be appointed to confer with a like Committee from the Senate on House Bill No. 48, which motion prevailed.

The Speaker appointed Reps. Johnson of Richland, Graham and Ohnstad.

## FIRST READING OF SENATE BILLS

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Was read the first time and referred to the Committee on Education.

Senate Bill No. 161. A Bill for an Act to Require Operators of Coal Mines Located Within the State of North Dakota to Furnish and Deliver Coal to Farmers, Truckers and Other Persons, Whenever Such Farmers, Truckers, or Other Persons Call for Coal at the Mines; Providing for Penalties and Declaring an Emergency.

Was read the first time and referred to the Committee on Mines and Mining.

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Was read the first time and referred to the Committee on Education.

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the Revised Code of 1943 Relating to Fines and Penalties.

Was read the first time and referred to the Committee on Temperance.

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Was read the first time and referred to the Committee on Education.

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 1, have had the same under consideration and recommend that the same be amended as follows:

Line 22—Change the word "Stenog." to read "Stenographers".

Line 23—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture" and strike out the figures "3,360.00" and insert in lieu thereof the figures "3,210.00".

Line 24—Strike out the figures “2,200.00” and insert in lieu thereof the figures “2,000.00”.

Line 25—Strike out the figures “2,750.00” and insert in lieu thereof the figures “2,600.00”.

Line 26—Strike out the figures “4,200.00” and insert in lieu thereof the figures “3,800.00”.

Line 27—Change the word “Governor’s” to read “Governors’” and strike out the figures “300.00” and insert in lieu thereof the figures “1,000.00”.

Line 28—Change the word “Proj.” to read “Project”.

Line 29—Strike out the figures “\$41,670.00” and insert in lieu thereof the figures “\$41,470.00”.

Line 32—Change the word “Lieut.” to read “Lieutenant”.

Line 38—Change the word “Sec’y” to read “Secretary” and “Stenog.” to read “Stenographers” and “Justice” to “Justices”.

Line 39—Change the word “Prtg.” to read “Printing”, and “Furn.” to “Furniture” and strike out the figures “2,500.00” and insert in lieu thereof the figures “2,000.00”.

Line 41—Strike out the figures “600.00” and insert in lieu thereof the figures “200.00”.

Line 42—Strike out the figures “\$79,300.00” and insert in lieu thereof the figures “\$78,400.00”.

Line 46—Change the word “Prtg.” to read “Printing”.

Line 50—Change the word “N. D.” to read “North Dakota”.

Line 51—Strike out in its entirety.

Line 52—Strike out the figures “\$27,900.00” and insert in lieu thereof the figures “\$12,900.00”.

Line 60—Change the word “Sec’y” to read “Secretary”.

Line 61—Strike out the figures “6,000.00” and insert in lieu thereof the figures “5,400.00”.

Line 62—Strike out the figures “13,400.00” and insert in lieu thereof the figures “12,840.00”.

Line 63—Change the word “Prtg.” to read “Printing”, and “Furn.” to “Furniture”.

Line 67—Strike out the figures “\$30,640.00” and insert in lieu thereof the figures “\$29,440.00”.

Lines 78, 79, 80, 81, 82 and 83—Strike out in their entirety.

Line 84—Strike out the figures “\$28,500.00” and insert in lieu thereof the figures “\$18,000.00”.

Line 88—Strike out the figures “6,000.00” and insert in lieu thereof the figures “5,400.00”.

Line 89—Strike out the figures “29,500.00” and insert in lieu thereof the figures “28,500.00”.

Line 90—Change the word “Prtg.” to read “Printing”, “Furn.” to “Furniture” and strike out the figures “6,000.00” and insert in lieu thereof the figures “5,000.00”.

Line 92—Strike out the figures “1,200.00” and insert in lieu thereof the figures “1,000.00”.

Line 94—Strike out the figures “\$51,100.00” and insert in lieu thereof the figures “\$48,300.00”.

Line 96—Change the word “DIV.” to read “DIVISION”.

Line 97—Strike out the figures “\$52,000.00” and insert in lieu thereof the figures “\$42,000.00”.

Line 98—Change the word "Prtg." to read "Printing", "Furn." to "Furniture" and strike out the figures "14,000.00" and insert in lieu thereof the figures "12,000.00".

Line 100—Strike out the figures "10,000.00" and insert in lieu thereof the figures "5,000.00".

Line 101—Strike out the figures "\$77,000.00" and insert in lieu thereof the figures "\$60,000.00".

Line 105—Strike out the figures "6,000.00" and insert in lieu thereof the figures "5,400.00".

Line 107—Change the word "Prtg." to read "Printing", "Furn." to "Furniture" and strike out the figures "4,000.00" and insert in lieu thereof the figures "3,500.00".

Line 108—Strike out the figures "700.00" and insert in lieu thereof the figures "500.00".

Line 112—Strike out the figures "\$51,090.00" and insert in lieu thereof the figures "\$49,790.00".

Line 115—Change the word "Com'r" to read "Commissioner".

Line 116—Strike out the figures "6,000.00" and insert in lieu thereof the figures "5,400.00".

Line 118—Strike out the figures "13,800.00" and insert in lieu thereof the figures "8,400.00".

Line 119—Change the word "Co." to read "Company" and strike out the figures "2,500.00" and insert in lieu thereof the figures "2,000.00".

Line 120—Change the word "Prtg." to read "Printing", "Furn." to read "Furniture" and strike out the figures "6,500.00" and insert in lieu thereof the figures "5,000.00".

Line 121—Strike out the figures "1,500.00" and insert in lieu thereof the figures "1,000.00".

Line 124—Strike out the figures "2,000.00" and insert in lieu thereof the figures "1,500.00".

Line 125—Change the word "Fd." to read "Fund".

Line 126—Strike out the figures "\$70,200.00" and insert in lieu thereof the figures "\$61,200.00".

Line 131—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

Line 141—Change the word "Ass't" to read "Assistant", "Att'ys" to "Attorneys", "Spec." to "Special" and "Ass't" to read "Assistant".

Line 142—Change the word "Att'y" to read "Attorney".

Line 144—Change the word "Prtg." to read "Printing", "Furn." to "Furniture" and strike out the figures "2,500.00" and insert in lieu thereof the figures "1,500.00".

Line 148—Strike out the figures "4,000.00" and insert in lieu thereof the figures "3,000.00".

Line 149—Strike out the figures "\$60,964.00" and insert in lieu thereof the figures "\$58,964.00".

Line 151—Change the word "DEPT." to read "DEPARTMENT".

Line 152—Change the word "Supt." to read "Superintendent".

Line 153—Strike out the figures "6,000.00" and insert in lieu thereof the figures "5,400.00".

Line 155—Change the word "Prtg." to read "Printing", "Furn." to "Furniture" and strike out the figures "17,800.00" and insert in lieu thereof the figures "15,000.00".

Line 157—Strike out the figures "1,000.00" and insert in lieu thereof the figures "750.00".

Line 160—Strike out the figures "\$43,345.00" and insert in lieu thereof the figures "\$39,695.00".

Line 162—Change the word "DEPT." to read "DEPARTMENT".

Line 164—Strike out the figures "\$5,600.00" and insert in lieu thereof the figures "\$5,400.00".

Line 165—Strike out the figures "14,600.00" and insert in lieu thereof the figures "12,600.00".

Line 166—Strike out the figures "2,000.00" and insert in lieu thereof the figures "1,500.00".

Line 167—Change the abbreviations "H. S." to read "High School" and strike out the figures "16,000.00" and insert in lieu thereof the figures "15,000.00".

Line 168—Strike out the figures "2,000.00" and insert in lieu thereof the figures "1,500.00".

Line 169—Strike out the figures "\$40,200.00" and insert in lieu thereof the figures "\$36,000.00".

Line 171—Change the word "DEPT." to read "DEPARTMENT".

Line 172—Change the word "CO." to read "COUNTY" and "AGRIC." to read "AGRICULTURAL".

Line 173—Change the word "Agric." to read "Agricultural".

Line 174—Change the word "Agric." to read "Agricultural".

Line 177—Change the word "DEPT." to read "DEPARTMENT".

Line 179—Strike out the figures "6,000.00" and insert in lieu thereof the figures "5,400.00".

Line 180—Strike out the figures "13,760.00" and insert in lieu thereof the figures "9,000.00".

Line 181—Change the word "Prtg." to read "Printing", "Furn." to read "Furniture" and strike out the figures "9,150.00" and insert in lieu thereof the figures "3,150.00".

Insert a new line as follows:

"181a Registration of Brands and Brand Books 6,000.00".

Line 183—Strike out the figures "3,500.00" and insert in lieu thereof the figures "3,000.00".

Line 185—Strike out the figures "\$40,610.00" and insert in lieu thereof the figures "\$34,750.00".

Line 187—Change the word "AGRIC." to read "AGRICULTURE", "CO-OP." to "CO-OPERATIVE", "DIV." to "DIVISION".

Line 191—Change the word "AGRIC." to read "AGRICULTURE", and "DEPT." to read "DEPARTMENT".

Line 192—Strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$5,400.00".

Line 193—Strike out the figures "34,080.00" and insert in lieu thereof the figures "28,000.00".

Line 194—Change the word "Prtg." to read "Printing", "Furn." to "Furniture" and strike out the figures "3,200.00" and insert in lieu thereof the figures "3,000.00".

Line 195—Strike out the figures "500.00" and insert in lieu thereof the figures "400.00".

Line 198—Strike out the figures "500.00" and insert in lieu thereof the figures "300.00".

Line 199—Strike out the figures "\$59,980.00" and insert in lieu thereof the figures "\$52,800.00".

Line 201—Change the word "AGRIC." to read "AGRICULTURE".

Line 205—Change the word "AGRIC." to read "AGRICULTURE".

Line 206—Strike out the figures "\$10,200.00" and insert in lieu thereof the figures "\$9,610.00".

Line 207—Change the word "Prtg." to read "Printing", "Furn." to read "Furniture" and strike out the figures "1,000.00" and insert in lieu thereof the figures "700.00".

Line 208—Strike out the figures "175.00" and insert in lieu thereof the figures "100.00".

Line 209—Strike out the figures "2,500.00" and insert in lieu thereof the figures "2,000.00".

Line 211—Strike out the figures "\$14,395.00" and insert in lieu thereof the figures "\$12,910.00".

Line 213—Change the word "AGRIC." to read "AGRICULTURE".

Line 218—Change the word "AGRIC." to read "AGRICULTURE".

Line 219—Change the word "Equip." to read "Equipment" and strike out the figures "\$20,000.00" and insert in lieu thereof the figures "\$25,000.00".

Line 220—Strike out the figures "\$20,000.00" and insert in lieu thereof the figures "\$25,000.00".

Line 224—Strike out the figures "72,372.00" and insert in lieu thereof the figures "62,372.00".

Line 225—Change the word "Prtg." to read "Printing", "Furn." to read "Furniture" and strike out the figures "6,000.00" to read "4,250.00".

Line 227—Strike out the figures "7,000.00" and insert in lieu thereof the figures "6,000.00".

Line 229—Change the abbreviations "I.C.C." to read "Interstate Commerce Commission".

Line 230—Change the words "Nat'l Ass'n" to read "National Association", "R.R." to "Rail Road" and "Com'rs." to "Commissioners".

Line 232—Strike out the figures "\$117,197.00" and insert in lieu thereof the figures "\$104,447.00".

Line 236—Change the word "Prtg." to read "Printing", "Furn." to "Furniture" and strike out the figures "1,400.00" and insert in lieu thereof the figures "1,300.00".

Line 238—Strike out the figures "3,500.00" and insert in lieu thereof the figures "3,000.00".

Line 240—Strike out the figures "\$19,730.00" and insert in lieu thereof the figures "\$19,130.00".



Line 244—Strike out the figures “6,000.00” and insert in lieu thereof the figures “5,400.00”.

Line 245—Strike out the figures “74,936.00” and insert in lieu thereof the figures “64,936.00”.

Line 246—Change the word “Prtg.” to “Printing”, “Furn.” to “Furniture” and strike out the figures “9,800.00” and insert in lieu thereof the figures “6,800.00”.

Line 248—Strike out the figures “26,000.00” and insert in lieu thereof the figures “20,000.00”.

Line 249—Strike out the figures “3,000.00” and insert in lieu thereof the figures “2,000.00”.

Line 251—Strike out the figures “16,000.00” and insert in lieu thereof the figures “12,000.00”.

Line 252—Strike out the figures “5,000.00” and insert in lieu thereof the figures “3,000.00”.

Line 253—Strike out the figures “2,000.00” and insert in lieu thereof the figures “1,000.00”.

Line 254—Strike out the figures “\$151,236.00” and insert in lieu thereof the figures “\$123,636.00”.

Line 258—Strike out the figures “6,000.00” and insert in lieu thereof the figures “5,400.00”.

Line 260—Strike out the figures “204,000.00” and insert in lieu thereof the figures “199,000.00”.

Line 261—Change the word “Prtg.” to read “Printing”, “Furn.” to “Furniture”.

Line 264—Strike out the figures “10,000.00” and insert in lieu thereof the figures “5,000.00”.

Line 266—Change the word “Dep’t” to read “Department”.

Line 267—Strike out the figures “\$330,000.00” and insert in lieu thereof the figures “\$319,400.00”.

Line 271—Strike out the figures “27,072.00” and insert in lieu thereof the figures “25,000.00”.

Line 272—Change the word “Prtg.” to “Printing”, “Furn.” to “Furniture” and strike out the figures “2,500.00” and insert in lieu thereof the figures “2,000.00”.

Line 274—Strike out the figures “3,000.00” and insert in lieu thereof the figures “2,500.00”.

Line 276—Strike out the figures “\$71,472.00” and insert in lieu thereof the figures “\$68,400.00”.

Line 279—Strike out the figures “\$126,756.00” and insert in lieu thereof the figures “\$133,882.00”.

Line 284—Strike out the figures “7,500.00” and insert in lieu thereof the figures “7,000.00”.

Line 286—Strike out the figures “5,800.00” and insert in lieu thereof the figures “4,500.00”.

Line 287—Strike out the figures “2,500.00” and insert in lieu thereof the figures “6,100.00”.

Line 288—Strike out the figures “6,500.00” and insert in lieu thereof the figures “5,500.00”.

Line 289—Change the word “Mtce.” to read “Maintenance”.

Line 291—Change the word “Ins.” to read “Insurance”, “Comp.” to “Compensation”.

Line 292—Change the word “Bldg.” to read “Building”.

Line 294—Strike out the figures "\$209,156.00" and insert in lieu thereof the figures "\$217,082.00".

Line 307—Strike out the figures "350.00" and insert in lieu thereof the figures "250.00".

Line 310—Strike out the figures "\$17,904.00" and insert in lieu thereof the figures "\$17,804.00".

Line 314—Change the word "Ass't" to read "Assistant".

Line 316—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

Line 328—Strike out the figures "20,360.00" and insert in lieu thereof the figures "21,440.00".

Line 329—Change the word "Prtg." to read "Printing", "Furn." to read "Furniture".

Line 334—Strike out the figures "\$38,660.00" and insert in lieu thereof the figures "\$39,740.00".

Line 345—Strike out the figures "\$4,800.00" and insert in lieu thereof the figures "\$6,600.00".

Insert a new line as follows:

"345a Salary—Assistant Adjutant General .....5,400.00".

Line 346—Strike out the figures "13,840.00" and insert in lieu thereof the figures "8,640.00".

Line 347—Change the word "Furn." to read "Furniture" and strike out the figures "1,800.00" and insert in lieu thereof the figures "1,500.00".

Lines 350 and 351—Strike out in their entirety.

Line 352—Strike out the figures "\$26,090.00" and insert in lieu thereof the figures "\$22,790.00".

Line 355—Change the word "Mtce." to read "Maintenance".

Line 361—Change the word "Mtce." to read "Maintenance".

Line 375—Strike out the figures "900.00" and insert in lieu thereof the figures "1,100.00".

Line 377—Strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$2,700.00".

Line 382—After the words "prescribed by" strike out the words and figures "Sections 710a1 to 710a6," and strike out lines 383 and 384 in their entirety and in line 385, strike out the words and figures "and Chapter 93, Session Laws of 1929." and insert in lieu thereof the words and figures "Section 54-1503, of the North Dakota Revised Code of 1943."

Line 393—Strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$8,400.00".

Line 394—Strike out the figures "121,480.00" and insert in lieu thereof the figures "100,000.00".

Line 395—Change the word "Prtg." to "Printing", "Furn." to "Furniture" and strike out the figures "5,000.00" and insert in lieu thereof the figures "4,000.00".

Line 396—Strike out the figures "1,750.00" and insert in lieu thereof the figures "1,500.00".

Line 397—Strike out the figures "33,000.00" and insert in lieu thereof the figures "30,000.00".

Line 399—Strike out the words and figures "(Chap. 91, S. L. 1943)" and insert in lieu thereof the words and figures "(Section 6-0103, of the North Dakota Revised Code of 1943)".

Line 401—Strike out the words and figures “(Chap. 123, S. L. 1943)” and insert in lieu thereof the words and figures “(Section 6-0122, of the North Dakota Revised Code of 1943)” and strike out the figures “4,800.00” and insert in lieu thereof the figures “3,000.00”.

Line 402—Strike out the figures “\$177,780.00” and insert in lieu thereof the figures “\$148,650.00”.

Line 405—Strike out the figures “\$2,400.00” and insert in lieu thereof the figures “\$1,500.00”.

Line 406—Change the word “Prtg.” to “Printing”, “Furn.” to “Furniture” and strike out the figures “750.00” and insert in lieu thereof the figures “550.00”.

Line 408—Strike out the figures “1,000.00” and insert in lieu thereof the figures “500.00”.

Line 409—Strike out the figures “5,000.00” and insert in lieu thereof the figures “3,000.00”.

Line 410—Strike out the figures “\$9,450.00” and insert in lieu thereof the figures “\$5,850.00”.

Line 413—Strike out the figures “\$10,000.00” and insert in lieu thereof the figures “\$8,400.00”.

Line 414—Strike out the figures “6,000.00” and insert in lieu thereof the figures “5,400.00”.

Line 417—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 418—Strike out the figures “700.00” and insert in lieu thereof the figures “500.00”.

Line 419—Strike out the figures “1,800.00” and insert in lieu thereof the figures “1,000.00”.

Line 420—Strike out the figures “800.00” and insert in lieu thereof the figures “500.00”.

Line 421—Strike out the figures “6,000.00” and insert in lieu thereof the figures “5,000.00”.

Line 422—Strike out the figures “5,000.00” and insert in lieu thereof the figures “3,500.00”.

Line 423—Strike out the figures “18,000.00” and insert in lieu thereof the figures “15,000.00”.

Line 424—Strike out the figures “\$56,640.00” and insert in lieu thereof the figures “\$47,640.00”.

Line 429—After the word “Funds” strike out the word “No”.

Line 430—Strike out the figures “\$70,000.00” and insert in lieu thereof the figures “\$50,000.00”.

Line 431—Strike out the figures “\$70,000.00” and insert in lieu thereof the figures “\$50,000.00”.

Line 432—Strike out the figures “\$2,552,828.00” and insert in lieu thereof the figures “\$2,365,007.00”.

Line 436—After the words “provided for in” strike out the words and figures “Chapter 214, Session” and Line 437 strike out in its entirety and insert in lieu thereof the words and figures “Section 48-0602, of the North Dakota Revised Code of 1943”.

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 27, have had the same under consideration and recommend that the same be amended as follows:

Line 4—Strike out the figures "\$450,000.00" and insert in lieu thereof the figures "\$350,000.00".

Lines 11 and 12—After the words "provisions of" strike out the words and figures "Chapter 221 of the Session Laws of 1935." and insert in lieu thereof the words and figures "Sections 50-0601 to 50-0614, both inclusive, of North Dakota Revised Code of 1943." and further amend by renumbering the lines.

Line 24—Strike out the figures "\$450,000.00" and insert in lieu thereof the figures "\$350,000.00".

Line 25—Strike out the figures "\$47,700.00" and insert in lieu thereof the figures "\$23,690.00".

Line 36—Strike out the figures "\$34,000.00" and insert in lieu thereof the figures "\$17,700.00".

Line 37—Strike out the figures "5,500.00" and insert in lieu thereof the figures "2,190.00".

Line 38—Strike out the figures "300.00" and insert in lieu thereof the figures "145.00".

Line 39—Strike out the figures "1,000.00" and insert in lieu thereof the figures "470.00".

Line 40—Strike out the figures "4,000.00" and insert in lieu thereof the figures "950.00".

Line 41—Strike out the figures "550.00" and insert in lieu thereof the figures "480.00".

Line 42—Strike out the figures "200.00" and insert in lieu thereof the figures "190.00".

Line 43—Strike out the word "Mtce." and insert in lieu thereof the word "Maintenance" and strike out the word "Equip." and insert in lieu thereof the word "Equipment".

Line 44—Strike out the figures "200.00" and insert in lieu thereof the figures "340.00".

Line 45—Strike out the figures "250.00" and insert in lieu thereof the figures "225.00".

Line 46—Strike out the figures "1,500.00" and insert in lieu thereof the figures "800.00".

Line 47—Strike out the figures "\$47,700.00" and insert in lieu thereof the figures "\$23,690.00".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 28, have had the same under consideration and recommend that the same be amended as follows:

Lines 7, 8 and 9—After the words "as provided by" strike out the words and figures "Chapter 243 of the Session Laws of 1941 and Chapter 210 of the Session Laws of 1937, as amended," and insert in lieu thereof the words and figures "Sections 50-0901 to 50-0924, both inclusive, of North Dakota Revised Code of 1943 and Sections 50-0801 to 50-0830, both inclusive, of North Dakota Revised Code of 1943."

Lines 11 and 12—Strike out the words and figures “Chapter 221 of the Session Laws of 1935 and Chapter 242 of the Session Laws of 1941” and insert in lieu thereof the words and figures “Sections 50-0601 to 50-0614, both inclusive, of North Dakota Revised Code of 1943 and Sections 50-1001 to 50-1009, both inclusive, of North Dakota Revised Code of 1943”.

Lines 20 and 21—After the words “as provided by” strike out the words and figures “Chapter 243 of the Session Laws of 1941.” and insert in lieu thereof the words and figures “Sections 50-0901 to 50-0924, both inclusive, of North Dakota Revised Code of 1943.”

Lines 25 and 26—After the words “as provided by” strike out the words and figures “Chapter 210 of the Session Laws of 1937, as amended.” and insert in lieu thereof the words and figures “Sections 50-0801 to 50-0830, both inclusive, of North Dakota Revised Code of 1943.”

Lines 30 and 31—After the words “as provided by” strike out the words and figures “Chapter 221 of the Session Laws of 1935.” and insert in lieu thereof the words and figures “Sections 50-0601 to 50-0614, both inclusive, of North Dakota Revised Code of 1943.”

Lines 36 and 37—Strike out the words and figures “Chapter 221 of the Session Laws of 1935 and Chapter 242 of the Session Laws of 1941.” and insert in lieu thereof the words and figures “Sections 50-0601 to 50-0614, both inclusive, of North Dakota Revised Code of 1943 and Sections 50-1001 to 50-1009, both inclusive, of North Dakota Revised Code of 1943.”

And further amend by renumbering the lines.

Line 51—Strike out the word “Mtce.” and insert in lieu thereof the word “Maintenance” and strike out the word “Equip.” and insert in lieu thereof the word “Equipment”.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Symington 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. 7, have had the same under consideration and recommend that the same be amended as follows:

Line 11—Change the abbreviation “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and Senate Bill No. 7 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 7 placed on the calendar.

Rep. Olson of Barnes moved that the House recess until 1:00 o'clock p. m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

FORTY-SECOND DAY AFTER RECESS  
AND FORTY-THIRD DAY

Bismarck, February 13, 1945

The House reconvened at 1:00 o'clock p. m., pursuant to recess taken, Speaker Bergesen presiding.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 164, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 171, have had the same under consideration and recommend that the same do pass.

REP. OLSON of Barnes, Chairman.

Rep. Klefstad moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 198, have had the same under consideration and recommend that the same do pass.

REP. OLSON of Barnes, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 196, have had the same under consideration and recommend that the same be amended as follows:

Strike out lines 16, 17, 18, 19.

And when so amended recommend the same do pass.

REP. OLSON of Barnes, Chairman.

Rep. Wolf of McIntosh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 152, have had the same under consideration and recommend that the same be amended as follows:

Line 10 strike out the word 'shall' and insert in lieu thereof the word 'may'. After the word 'receive' insert the words 'up to' and renumber the lines as necessary.

And when so amended recommend the same do pass.

REP. OLSON of Barnes, Chairman.

Rep. Klefstad moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Olson of Barnes moved that the rules be suspended and House Bill No. 152 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 152 placed on the calendar.

Mr. Speaker: Your Committee on Public Printing to whom was referred House Concurrent Resolution "P", have had the same under consideration and recommend that the same do pass.

REP. ARNDT, Chairman.

Rep. Sticka moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 132, have had the same under consideration and recommend that the same be amended as follows:

In line 11 of the Bill, strike out the words "fifteen hundred" and insert in lieu thereof the words "one thousand".

In lines thirteen and fourteen of the Bill, strike out the words "fifteen hundred" and insert in lieu thereof the words "one thousand".

In line 16 of the bill, strike out the words "fifteen hundred" and insert in lieu thereof the words "one thousand".

In line 24 of the bill, after the word "physically" and before the word "incapacitated" insert the words "defective or".

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws, to whom was referred House Bill No. 131, have had the same under consideration and recommend that the same be amended as follows:

In line 8 of the Bill after the word "chapter" insert "a comma and the word 'computed'".

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Bymers moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 146, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Richland, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 13, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 66. A Bill for an Act Authorizing the

State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Deceased Veterans, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 13, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State Officials of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 57-1529 of the North Dakota Revised Code of 1943, Relating to War Emergency Fund; Cities.

House Bill No. 45. A Bill for an Act Providing a Method for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.

House Bill No. 47. A Bill for an Act Legalizing the Operation of Certain School Districts and Fixing the Tax Levies Therein, and Declaring an Emergency.

House Bill No. 59. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registration and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

House Bill No. 64. A Bill for an Act Amending and Re-enacting Section 19-1403 of the North Dakota Revised Code of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

Which the President has signed.

W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 136, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, 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. 106, have had the same under consideration and recommend that the same be amended as follows:



At the end of the title cross out the period after the word "employees", insert a comma and add the following words: "and declaring an emergency."

And when so amended recommend the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Richland moved that the rules be suspended and House Bill No. 106 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 106 placed on the calendar.

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred House Bill No. 213, have had the same under consideration and recommend that the same do pass.

REP. SEVERSON, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: The majority of your Committee on Appropriations, to whom was referred House Bill No. 29, have had the same under consideration and recommend that the same be amended as follows:

Line 4—Strike out the figures "\$3,000,000.00" and insert in lieu thereof the figures "\$3,250,000.00".

Line 7—After the words "provided by" strike out the words and figures "Chapter 211 of the Session Laws of 1937." and insert in lieu thereof the words and figures "Sections 50-0701 to 50-0740, both inclusive, of North Dakota Revised Code of 1943." and further amend by renumbering the lines.

Line 8—Strike out the figures "\$3,000,000.00" and insert in lieu thereof the figures "\$3,250.00".

Line 20—Strike out the word "Mtce." and insert in lieu thereof the word "Maintenance" and strike out the word "Equip." and insert in lieu thereof the word "Equipment".

And when so amended recommend the same do pass.

REP. ALLEN of Graud Forks

REP. BJELLA

REP. CALLAHAN

REP. COLLETTE

REP. HECKMAN

REP. LUICK

REP. OLSON of Barnes

REP. SEVERSON

REP. SMART

REP. SYMINGTON

REP. STORMON

REP. WAMBHEIM

REP. JOHNSON of Cass, Chairman.

Mr. Speaker: The minority of your Committee on Appropriations, to whom was referred House Bill No. 29, have had the same under consideration and recommend that the same be amended as follows:

Line 4—Strike out the figures "\$3,000,000.00" and insert in lieu thereof the figures "\$4,073,705.00".

Line 7—After the words “provided by” strike out the words and figures “Chapter 211 of the Session Laws of 1937.” and insert in lieu thereof the words and figures “Sections 50-0701 to 50-0740, both inclusive, of North Dakota Revised Code of 1943.” and further amend by renumbering the lines.

Line 8—Strike out the figures “\$3,000,000.00” and insert in lieu thereof the figures “\$4,073,705.00”.

Line 20—Strike out the word “Mtce.” and insert in lieu thereof the word “Maintenance” and strike out the word “Equip.” and insert in lieu thereof the word “Equipment”.

And when so amended recommend the same do pass.

REP. GRAHAM  
 REP. HAAG  
 REP. LILLEHAUGEN  
 REP. STAIR  
 REP. STICKA  
 REP. WOLF of Morton

Rep. Graham 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. 113, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: The minority of your Committee on Ways and Means to whom was referred House Bill No. 129, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. CROCKETT  
 REP. WOLLITZ  
 REP. BUBEL  
 REP. FRASER  
 REP. LINDBERG  
 REP. OSTGULEN  
 REP. ROHRER.

Rep. Crockett moved that the report be adopted.

Mr. Speaker: The minority of your Committee on Ways and Means to whom was referred House Bill No. 129, have had the same under consideration and recommend that the same be amended as follows:

That Section 7 of House Bill 129 be amended by adding to said Section 7 the following sub-section: “e. Provided, however, that no State patrolman shall have the power to serve any process or other paper in any proceeding.”

And when so amended recommend the same do pass.

REP. FITCH  
 REP. HOGOBOOM  
 REP. THOMPSON, Griggs  
 REP. WESTBY  
 REP. STILL  
 REP. BENNO.

REP. FITCH, Chairman.

Rep. Fitch offered as a substitute motion that the report of the minority be substituted for the report of the majority.

Rep. Sandness moved the previous question, which motion prevailed.

The question was on the substitute motion of Rep. Fitch.

On a voice vote the Chair was in doubt.

A rising vote revealed 51 voting for and 54 voting against, so the substitute motion was lost.

The motion before the House was the motion of Rep. Crockett that House Bill 129 be indefinitely postponed.

Rep. Fitch moved that action on House Bill No. 129 be deferred one legislative day, which motion was lost.

The question was again on the motion of Rep. Crockett.

On a rising vote the Chair was in doubt.

A roll call was demanded and granted.

#### ROLL CALL

The question being on the motion to indefinitely postpone House Bill No. 129, the roll was called and there were ayes, 62; nays, 49; absent and not voting, 1.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Anderson	Halvorson	Schimke
Baumgartner	Haugen	Schlafmann
Belzer	Hegge	Schmalenberger
Boucher	Hofstrand	Schmidt, Logan
Bubel	Isaak	Schmidt, Morton
Bureau	Jennings	Schnell
Callahan	Larson	Schwartz
Crockett	Leet	Seibel
Devlin	Levin	Shockman
Dittmer	Lillehaugen	Skaar
Drovdal	Lindberg	Stair
Engel	Maher	Sticka
Esterby	Moe	Stormon
Falconer	Moerke	Thompson, Richl'nd
Fitch	Mollet	Tuff
Forseth	Monson	Welk
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Graham	Ohnstad	Wollitz
Grenier	Ostgulen	

Those voting in the negative were:

Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Haugland	Sailer
Arndt	Heckman	Sandness
Bagge	Herk	Saumur
Benno	Hildre	Sellens
Bjella	Hogoboom	Severson
Blair	Hovey	Sharpe
Bolmeier	Johnson, Cass	Smart
Brady	Johnson, Richland	Stanley
Bymers	Klefstad	Still
Collette	Langley	Symington
Dalzell	Luick	Thompson, Griggs
Drawz	Lysne	Wambheim
Ekren	McInnes	Westby

Fleck	Nystrom	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Gainor		

Absent and not voting:

Olson, Bowman

So House Bill No. 129 was indefinitely postponed.

Rep. Fitch changed his vote from "nay" to "aye" for the purpose of reconsideration.

Rep. Seibel moved that the absent members be excused, which motion prevailed.

Rep. Bymers moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

#### FORTY-THIRD DAY

Bismarck, February 13, 1945

The House convened at 2:00 o'clock p.m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Major Walter Lee.

Roll call: All members present except Rep. Olson of Bowman.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 13, 1945

Mr. President: I have the honor to return:

Senate Bill No. 108. A Bill for an Act to Amend and Re-enact Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 13, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 49 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Fitch, Olson of Barnes and Hovey.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 13, 1945

Mr. President: I have the honor to transmit:

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 13, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 48 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Johnson of Richland, Graham and Ohnstad.

KENNETH L. MORGAN, Chief Clerk.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-second day and recommends that the same be corrected as follows:

At the bottom of page 452 change "Senator" to "Representative".

In line 5 from the bottom of page 444 change the figure "\$51,000.00" to read "\$51,100.00".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 173.

And find the same correctly Engrossed.

REP. LEET, 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 Ways and Means, to whom was referred House Bill No. 126, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Ostgulen 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. 177, have had the same under consideration and recommend that the same be amended as follows:

In line 33 strike out the semicolon and insert a period after the word "license;". Strike out the following words in lines 33, 34, 35, 36, 37, and 38: "provided, however, that in lieu of furnishing such bond any dealer may deposit with the Motor Vehicle Registrar the sum of five thousand dollars (\$5,000.00) in cash, which sum shall be kept by the Motor Vehicle Registrar in lieu of and for the same purposes as a bond furnished as hereinbefore provided."; and renumber the lines as necessary.

And when so amended recommend the same do pass.

REP. FITCH, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 172, have had the same under consideration and recommend that the same be amended as follows:

In line five of the title after the numerals "1943" strike out the period and insert a comma in lieu thereof and add the following language, "and declaring an emergency".

And when so amended recommend the same do pass.

REP. BAGGE, Chairman.

Rep. Thompson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bagge moved that the rules be suspended and House Bill No. 172 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 172 placed on the calendar.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Concurrent Resolution "H", have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Ostgulen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Welfare to whom was referred House Bill No. 217, have had the same under consideration and recommend that the same do pass.

REP. HAUGLAND, Chairman.

Rep. Schmalenberger moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred House Bill No. 208, have had the same under consideration and recommend that the same do pass.

REP. SAILER, Chairman.

Rep. Burau moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 209, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. ALLEN of Pierce, Chairman.

Rep. Ostgulen moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the vote by which House Bill No. 209 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred House Bill No. 218, have had the same under consideration and recommend that the same do pass.

REP. SAILER, Chairman.

Rep. Luick moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Rules to whom was referred House Bill No. 144, have had the same under consideration and recommend that the same do pass.

REP. SYMINGTON, Chairman.

Rep. Graham moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred House Bill No. 219, have had the same under consideration and recommend that the same do pass.

REP. SAILER, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred House Bill No. 267, have had the same under consideration and recommend that the same do pass.

REP. SAILER, Chairman.

Rep. Pyle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred House Bill No. 268, have had the same under consideration and recommend that the same do pass.

REP. SAILER, Chairman.

Rep. Pyle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred House Bill No. 270, have had the same under consideration and recommend that the same do pass.

REP. SAILER, Chairman.

Rep. Forseth 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. 216, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Fraser moved that the report be adopted.

Rep. Bubel moved a substitute motion that House Bill No. 216 be placed on the calendar, which motion was lost.

The question was on the motion of Rep. Fraser that the report of the Standing Committee be adopted, which motion prevailed, and House Bill No. 216 was indefinitely postponed.

Rep. Graham moved that the vote by which House Bill No. 216 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, 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 Engrossment respectfully report that:

House Bill No. 59.

House Bill No. 64.

House Bill No. 76.

Were delivered to the Governor for his approval at the hour of 2:45 p. m. o'clock, February 13, 1945.

REP. LEET, Chairman.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that:

House Bill No. 39.

House Bill No. 45.

House Bill No. 47.

Were delivered to the Governor for his approval at the hour of 2:45 p. m. o'clock, February 13, 1945.

REP. LEET, Chairman.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that:

House Bill No. 77.

House Bill No. 36.

Were delivered to the Governor for his approval at the hour of 2:45 p. m. o'clock, February 13, 1945.

REP. LEET, Chairman.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Public Welfare to whom was referred House Bill No. 214, have had the same under consideration and recommend that the same do pass.

REP. HAUGLAND, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Federal Relations to whom was referred House Concurrent Resolution "O", have had the same under consideration and return the same without recommendations.

REP. HOVEY, Chairman.

Rep. Byemers moved that House Concurrent Resolution "O" be adopted, which motion prevailed and House Concurrent Resolution "O" was adopted.

Mr. Speaker: Your Committee on Federal Relations to whom was referred House Concurrent Resolution "N", have had the same under consideration and recommend that the same do pass.

REP. HOVEY, Chairman.

Rep. Yirchott moved that the report be adopted, which motion prevailed and House Concurrent Resolution "N" was adopted.

Mr. Speaker: Your Committee on Federal Relations to whom was referred House Concurrent Resolution "M", have had the same under consideration and recommend that the same be amended as follows:

In line 4 strike out the word "droughth" and insert the word "drought". In line 18 strike out the word "haveing"



and insert the word "having". In line 39 strike out the word "member" and insert the word "members".

And when so amended recommend the same do pass.

REP. HOVEY, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Federal Relations to whom was referred House Concurrent Resolution "R", have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HOVEY, Chairman.

Rep. Maher moved that the report be adopted.

Rep. Bubel offered as a substitute motion that House Concurrent Resolution "R" be placed in General Orders for the purpose of amendments, which proposed amendments were read from the desk, which motion was lost.

The question then was on the adoption of the report of the Standing Committee which motion prevailed and House Concurrent Resolution "R" was indefinitely postponed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 63, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 13, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 79, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Sharpe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 78, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Arndt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations, to whom was referred Senate Bill No. 41, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. OLSON of Barnes, Chairman.

Rep. Graham moved that Senate Bill No. 41 do pass.

Rep. Bolmeier offered as a substitute motion that Senate Bill No. 41 be placed in General Orders for amendment, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations, to whom was referred Senate Bill No. 133, have had the same under consideration and recommend that the same do pass.

REP. OLSON of Barnes, Chairman.

Rep. Klefstad moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Mines and Mining, to whom was referred Senate Bill No. 88, have had the same under consideration and recommend that the same be amended as follows:

Line 18 after coalmines insert period (.) and strike out the words 'two years of which was had in this state.'

Line 29 change the word five to 'seven'.

Renumber lines.

And when so amended recommend the same do pass.

REP. FLECK, Chairman.

Rep. Ostgulen moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS

The Committee on Delayed Bills introduced:

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial.

Was read the first time and referred to the Committee on Judiciary.

The Committee on Delayed Bills introduced:

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict.

Was read the first time and referred to the Committee on Judiciary.

The Committee on Delayed Bills introduced:

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 28-1509 and Section 28-1510 of the North Dakota Revised Code of 1943 (Vol. 3), Relating to Directed Verdicts, and Judgment Notwithstanding Verdict in Civil Actions, in the District Court.

Was read the first time and referred to the Committee on Judiciary.

The Committee on Delayed Bills introduced:

House Bill No. 279. A Bill for an Act to Amend and Re-enact Section 57-1531 of the North Dakota Revised Code of 1943 Relating to Determination of Levies; and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

## SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 66.

And the Speaker signed the same in the presence of the House.

Rep. Haugen moved that the House do now recess for fifteen minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 13, 1945

Mr. President: I have the honor to return:

Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Deceased Veterans, and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

## MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 13, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on House Bill No. 49, Senators Foss, Greiser and Fetton.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 13, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on House Bill No. 48, Senators Kehoe, Day and Shure.

W. J. TROUT, Secretary.

Rep. Johnson of Richland asked to be excused from the Committee on the Investigation of the Sale of Bills. The request was granted and the Speaker appointed Rep. Blair.

## GENERAL ORDERS

Rep. Wolf of McIntosh moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Wolf of McIntosh to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 160.

In line 4 of the title after the word "and", strike out the remainder of the line.

In line 5 strike out all the words to the semi-colon, and

insert in lieu thereof "exempting hospital associations organized for non-profit from provisions of section".

In line 10 change the word "eight" to read "five" and between the word "dollars" and the period, insert "This provision shall not apply to hospital associations organized for non-profit". And renumber the lines.

And when so amended recommend the same do pass.

House Bill No. 8.

In line 3 strike out the figures \$100,000.00 and insert in lieu thereof the figures \$133,000.00.

And when so amended recommend the same do pass.

House Bill No. 27.

Line 4—Strike out the figures "\$450,000.00" and insert in lieu thereof the figures "\$350,000.00".

Lines 11 and 12—After the words "provisions of" strike out the words and figures "Chapter 221 of the Session Laws of 1935." and insert in lieu thereof the words and figures "Sections 50-0601 to 50-0614, both inclusive, of North Dakota Revised Code of 1943." and further amend by renumbering the lines.

Line 24—Strike out the figures "\$450,000.00" and insert in lieu thereof the figures "\$350,000.00".

Line 25—Strike out the figures "\$47,700.00" and insert in lieu thereof the figures "\$23,690.00".

Line 36—Strike out the figures "\$34,000.00" and insert in lieu thereof the figures "\$17,700.00".

Line 37—Strike out the figures "5,500.00" and insert in lieu thereof the figures "2,190.00".

Line 38—Strike out the figures "300.00" and insert in lieu thereof the figures "145.00".

Line 39—Strike out the figures "1,000.00" and insert in lieu thereof the figures "470.00".

Line 40—Strike out the figures "4,000.00" and insert in lieu thereof the figures "950.00".

Line 41—Strike out the figures "550.00" and insert in lieu thereof the figures "480.00".

Line 42—Strike out the figures "200.00" and insert in lieu thereof the figures "190.00".

Line 43—Strike out the word "Mtce." and insert in lieu thereof the word "Maintenance" and strike out the word "Equip." and insert in lieu thereof the word "Equipment".

Line 44—Strike out the figures "200.00" and insert in lieu thereof the figures "340.00".

Line 45—Strike out the figures "250.00" and insert in lieu thereof the figures "225.00".

Line 46—Strike out the figures "1,500.00" and insert in lieu thereof the figures "800.00".

Line 47—Strike out the figures "\$47,700.00" and insert in lieu thereof the figures "\$23,690.00".

And when so amended recommend the same do pass.

House Bill No. 28.

Lines 7, 8 and 9—After the words "as provided by" strike out the words and figures "Chapter 243 of the Session Laws

of 1941 and Chapter 210 of the Session Laws of 1937, as amended," and insert in lieu thereof the words and figures "Sections 50-0901 to 50-0924, both inclusive, of North Dakota Revised Code of 1943 and Sections 50-0801 to 50-0830, both inclusive, of North Dakota Revised Code of 1943".

Lines 11 and 12—Strike out the words and figures "Chapter 221 of the Session Laws of 1935 and Chapter 242 of the Session Laws of 1941" and insert in lieu thereof the words and figures "Sections 50-0601 to 50-0614, both inclusive, of North Dakota Revised Code of 1943 and Sections 50-1001 to 50-1009, both inclusive, of North Dakota Revised Code of 1943".

Lines 20 and 21—After the words "as provided by" strike out the words and figures "Chapter 243 of the Session Laws of 1941." and insert in lieu thereof the words and figures "Sections 50-0901 to 50-0924, both inclusive, of North Dakota Revised Code of 1943."

Lines 25 and 26—After the words "as provided by" strike out the words and figures "Chapter 210 of the Session Laws of 1937, as amended." and insert in lieu thereof the words and figures "Sections 50-0801 to 50-0830, both inclusive, of North Dakota Revised Code of 1943."

Lines 30 and 31—After the words "as provided by" strike out the words and figures "Chapter 221 of the Session Laws of 1935." and insert in lieu thereof the words and figures "Sections 50-0601 to 50-0614, both inclusive, of North Dakota Revised Code of 1943."

Lines 36 and 37—Strike out the words and figures "Chapter 221 of the Session Laws of 1935 and Chapter 242 of the Session Laws of 1941." and insert in lieu thereof the words and figures "Sections 50-0601 to 50-0614, both inclusive, of North Dakota Revised Code of 1943 and Sections 50-1001 to 50-1009, both inclusive, of North Dakota Revised Code of 1943."

And further amend by renumbering the lines.

Line 51—Strike out the word "Mtce." and insert in lieu thereof the word "Maintenance" and strike out the word "Equip." and insert in lieu thereof the word "Equipment".

And when so amended recommend the same do pass.

Senate Bill No. 4.

Line 3—Strike out the figures "\$100.00" and insert in lieu thereof the figures "\$200.00".

And when so amended recommend the same do pass.

House Bill No. 1.

Line 22—Change the word "Stenog." to read "Stenographers".

Line 23—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture" and strike out the figures "3,360.00" and insert in lieu thereof the figures "3,210.00".

Line 24—Strike out the figures "2,200.00" and insert in lieu thereof the figures "2,000.00".

Line 25—Strike out the figures "2,750.00" and insert in lieu thereof the figures "2,600.00".

Line 26—Strike out the figures "4,200.00" and insert in lieu thereof the figures "3,800.00".

Line 27—Change the word "Governor's" to read "Governors'" and strike out the figures "300.00" and insert in lieu thereof the figures "1,000.00".

Line 28—Change the word "Proj." to read "Project".

Line 29—Strike out the figures "\$41,670.00" and insert in lieu thereof the figures "\$41,470.00".

Line 32—Change the word "Lieut." to read "Lieutenant".

Line 38—Change the word "Sec'y" to read "Secretary" and "Stenog." to read "Stenographers" and "Justice" to "Justices".

Line 39—Change the word "Prtg." to read "Printing", and "Furn." to "Furniture" and strike out the figures "2,500.00" and insert in lieu thereof the figures "2,000.00".

Line 41—Strike out the figures "600.00" and insert in lieu thereof the figures "200.00".

Line 42—Strike out the figures "\$79,300.00" and insert in lieu thereof the figures "\$78,400.00".

Line 46—Change the word "Prtg." to read "Printing".

Line 50—Change the word "N. D." to read "North Dakota".

Line 51—Strike out in its entirety.

Line 52—Strike out the figures "\$27,900.00" and insert in lieu thereof the figures "\$12,900.00".

Line 60—Change the word "Sec'y" to read "Secretary".

Line 61—Strike out the figures "6,000.00" and insert in lieu thereof the figures "5,400.00".

Line 62—Strike out the figures "13,400.00" and insert in lieu thereof the figures "12,840.00".

Line 63—Change the word "Prtg." to read "Printing", and "Furn." to "Furniture".

Line 67—Strike out the figures "\$30,640.00" and insert in lieu thereof the figures "\$29,440.00".

Lines 78, 79, 80, 81, 82 and 83—Strike out in their entirety.

Line 84—Strike out the figures "\$28,500.00" and insert in lieu thereof the figures "\$18,000.00".

Line 88—Strike out the figures "6,000.00" and insert in lieu thereof the figures "5,400.00".

Line 89—Strike out the figures "29,500.00" and insert in lieu thereof the figures "28,500.00".

Line 90—Change the word "Prtg." to read "Printing", "Furn." to "Furniture" and strike out the figures "6,000.00" and insert in lieu thereof the figures "5,000.00".

Line 92—Strike out the figures "1,200.00" and insert in lieu thereof the figures "1,000.00".

Line 94—Strike out the figures "\$51,000.00" and insert in lieu thereof the figures "\$48,300.00".

Line 96—Change the word "DIV." to read "DIVISION".

Line 97—Strike out the figures "\$52,000.00" and insert in lieu thereof the figures "\$42,000.00".

Line 98—Change the word "Prtg." to read "Printing", "Furn." to "Furniture" and strike out the figures "14,000.00" and insert in lieu thereof the figures "12,000.00".

Line 100—Strike out the figures "10,000.00" and insert in lieu thereof the figures "5,000.00".

Line 101—Strike out the figures “\$77,000.00” and insert in lieu thereof the figures “\$60,000.00”.

Line 105—Strike out the figures “6,000.00” and insert in lieu thereof the figures “5,400.00”.

Line 107—Change the word “Prtg.” to read “Printing”, “Furn.” to “Furniture” and strike out the figures “4,000.00” and insert in lieu thereof the figures “3,500.00”.

Line 108—Strike out the figures “700.00” and insert in lieu thereof the figures “500.00”.

Line 112—Strike out the figures “\$51,090.00” and insert in lieu thereof the figures “\$49,790.00”.

Line 115—Change the word “Com'r” to read “Commissioner”.

Line 116—Strike out the figures “6,000.00” and insert in lieu thereof the figures “5,400.00”.

Line 118—Strike out the figures “13,800.00” and insert in lieu thereof the figures “8,400.00”.

Line 119—Change the word “Co.” to read “Company” and strike out the figures “2,500.00” and insert in lieu thereof the figures “2,000.00”.

Line 120—Change the word “Prtg.” to read “Printing”, “Furn.” to read “Furniture” and strike out the figures “6,500.00” and insert in lieu thereof the figures “5,000.00”.

Line 121—Strike out the figures “1,500.00” and insert in lieu thereof the figures “1,000.00”.

Line 124—Strike out the figures “2,000.00” and insert in lieu thereof the figures “1,500.00”.

Line 125—Change the word “Fd.” to read “Fund”.

Line 126—Strike out the figures “\$70,200.00” and insert in lieu thereof the figures “\$61,200.00”.

Line 131—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 141—Change the word “Ass't” to read “Assistant”, “Att'ys” to “Attorneys”, “Spec.” to “Special” and “Ass't” to read “Assistant”.

Line 142—Change the word “Att'y” to read “Attorney”.

Line 144—Change the word “Prtg.” to read “Printing”, “Furn.” to “Furniture” and strike out the figures “2,500.00” and insert in lieu thereof the figures “1,500.00”.

Line 148—Strike out the figures “4,000.00” and insert in lieu thereof the figures “3,000.00”.

Line 149—Strike out the figures “\$60,964.00” and insert in lieu thereof the figures “\$58,964.00”.

Line 151—Change the word “DEPT.” to read “DEPARTMENT”.

Line 152—Change the word “Supt.” to read “Superintendent”.

Line 153—Strike out the figures “6,000.00” and insert in lieu thereof the figures “5,400.00”.

Line 155—Change the word “Prtg.” to read “Printing”, “Furn.” to “Furniture” and strike out the figures “17,800.00” and insert in lieu thereof the figures “15,000.00”.

Line 157—Strike out the figures “1,000.00” and insert in lieu thereof the figures “750.00”.

Line 160—Strike out the figures “\$43,345.00” and insert in lieu thereof the figures “\$39,695.00”.

Line 162—Change the word “DEPT.” to read “DEPARTMENT”.

Line 164—Strike out the figures “\$5,600.00” and insert in lieu thereof the figures “\$5,400.00”.

Line 165—Strike out the figures “14,600.00” and insert in lieu thereof the figures “12,600.00”.

Line 166—Strike out the figures “2,000.00” and insert in lieu thereof the figures “1,500.00”.

Line 167—Change the abbreviation “H. S.” to read “High School” and strike out the figures “16,000.00” and insert in lieu thereof the figures “15,000.00”.

Line 168—Strike out the figures “2,000.00” and insert in lieu thereof the figures “1,500.00”.

Line 169—Strike out the figures “\$40,200.00” and insert in lieu thereof the figures “\$36,000.00”.

Line 171—Change the word “DEPT.” to read “DEPARTMENT”.

Line 172—Change the word “CO.” to read “COUNTY” and “AGRIC.” to read “AGRICULTURAL”.

Line 173—Change the word “Agric.” to read “Agricultural”.

Line 174—Change the word “Agric.” to read “Agricultural”.

Line 177—Change the word “DEPT.” to read “DEPARTMENT”.

Line 179—Strike out the figures “6,000.00” and insert in lieu thereof the figures “5,400.00”.

Line 180—Strike out the figures “13,760.00” and insert in lieu thereof the figures “9,000.00”.

Line 181—Change the word “Prtg.” to read “Printing”, “Furn.” to read “Furniture” and strike out the figures “9,150.00” and insert in lieu thereof the figures “3,150.00”.

Insert a new line as follows:

“181a Registration of Brands and Brand Books 6,000.00”.

Line 183—Strike out the figures “3,500.00” and insert in lieu thereof the figures “3,000.00”.

Line 185—Strike out the figures “\$40,610.00” and insert in lieu thereof the figures “\$34,750.00”.

Line 187—Change the word “AGRIC.” to read “AGRICULTURE”, “CO-OP.” to “CO-OPERATIVE”, “DIV.” to “DIVISION”.

Line 191—Change the word “AGRIC.” to read “AGRICULTURE”, and “DEPT.” to read “DEPARTMENT”.

Line 192—Strike out the figures “\$6,000.00” and insert in lieu thereof the figures “\$5,400.00”.

Line 193—Strike out the figures “34,080.00” and insert in lieu thereof the figures “28,000.00”.

Line 194—Change the word “Prtg.” to read “Printing”, “Furn.” to “Furniture” and strike out the figures “3,200.00” and insert in lieu thereof the figures “3,000.00”.

Line 195—Strike out the figures “500.00” and insert in lieu thereof the figures “400.00”.



Line 198—Strike out the figures “500.00” and insert in lieu thereof the figures “300.00”.

Line 199—Strike out the figures “\$59,980.00” and insert in lieu thereof the figures “\$52,800.00”.

Line 201—Change the word “AGRIC.” to read “AGRICULTURE”.

Line 205—Change the word “AGRIC.” to read “AGRICULTURE”.

Line 206—Strike out the figures “\$10,200.00” and insert in lieu thereof the figures “\$9,610.00”.

Line 207—Change the word “Prtg.” to read “Printing”, “Furn.” to read “Furniture” and strike out the figures “1,000.00” and insert in lieu thereof the figures “700.00”.

Line 208—Strike out the figures “175.00” and insert in lieu thereof the figures “100.00”.

Line 209—Strike out the figures “2,500.00” and insert in lieu thereof the figures “2,000.00”.

Line 211—Strike out the figures “\$14,395.00” and insert in lieu thereof the figures “\$12,910.00”.

Line 213—Change the word “AGRIC.” to read “AGRICULTURE”.

Line 218—Change the word “AGRIC.” to read “AGRICULTURE”.

Line 219—Change the word “Equip.” to read “Equipment” and strike out the figures “\$20,000.00” and insert in lieu thereof the figures “\$25,000.00”.

Line 220—Strike out the figures “\$20,000.00” and insert in lieu thereof the figures “\$25,000.00”.

Line 224—Strike out the figures “72,372.00” and insert in lieu thereof the figures “62,372.00”.

Line 225—Change the word “Prtg.” to read “Printing”, “Furn.” to read “Furniture” and strike out the figures “6,000.00” to read “4,250.00”.

Line 227—Strike out the figures “7,000.00” and insert in lieu thereof the figures “6,000.00”.

Line 229—Change the abbreviations “I.C.C.” to read “Interstate Commerce Commission”.

Line 230—Change the words “Nat'l Ass'n” to read “National Association”, “R.R.” to “Rail Road” and “Com'rs.” to “Commissioners”.

Line 232—Strike out the figures “\$117,197.00” and insert in lieu thereof the figures “\$104,447.00”.

Line 236—Change the word “Prtg.” to read “Printing”, “Furn.” to “Furniture” and strike out the figures “1,400.00” and insert in lieu thereof the figures “1,300.00”.

Line 238—Strike out the figures “3,500.00” and insert in lieu thereof the figures “3,000.00”.

Line 240—Strike out the figures “\$19,730.00” and insert in lieu thereof the figures “\$19,130.00”.

Line 244—Strike out the figures “6,000.00” and insert in lieu thereof the figures “5,400.00”.

Line 245—Strike out the figures “74,936.00” and insert in lieu thereof the figures “64,936.00”.

Line 246—Change the word “Prtg.” to “Printing”, “Furn.”

to "Furniture" and strike out the figures "9,800.00" and insert in lieu thereof the figures "6,800.00".

Line 248—Strike out the figures "26,000.00" and insert in lieu thereof the figures "20,000.00".

Line 249—Strike out the figures "3,000.00" and insert in lieu thereof the figures "2,000.00".

Line 251—Strike out the figures "16,000.00" and insert in lieu thereof the figures "12,000.00".

Line 252—Strike out the figures "5,000.00" and insert in lieu thereof the figures "3,000.00".

Line 253—Strike out the figures "2,000.00" and insert in lieu thereof the figures "1,000.00".

Line 254—Strike out the figures "\$151,236.00" and insert in lieu thereof the figures "\$123,636.00".

Line 258—Strike out the figures "6,000.00" and insert in lieu thereof the figures "5,400.00".

Line 260—Strike out the figures "204,000.00" and insert in lieu thereof the figures "199,000.00".

Line 261—Change the word "Prtg." to read "Printing", "Furn." to "Furniture".

Line 264—Strike out the figures "10,000.00" and insert in lieu thereof the figures "5,000.00".

Line 266—Change the word "Dep't" to read "Department".

Line 267—Strike out the figures "\$330,000.00" and insert in lieu thereof the figures "\$319,400.00".

Line 271—Strike out the figures "27,072.00" and insert in lieu thereof the figures "25,000.00".

Line 272—Change the word "Prtg." to "Printing", "Furn." to "Furniture" and strike out the figures "2,500.00" and insert in lieu thereof the figures "2,000.00".

Line 274—Strike out the figures "3,000.00" and insert in lieu thereof the figures "2,500.00".

Line 276—Strike out the figures "\$71,472.00" and insert in lieu thereof the figures "\$68,400.00".

Line 279—Strike out the figures "\$126,756.00" and insert in lieu thereof the figures "\$133,882.00".

Line 284—Strike out the figures "7,500.00" and insert in lieu thereof the figures "7,000.00".

Line 286—Strike out the figures "5,800.00" and insert in lieu thereof the figures "4,500.00".

Line 287—Strike out the figures "2,500.00" and insert in lieu thereof the figures "6,100.00".

Line 288—Strike out the figures "6,500.00" and insert in lieu thereof the figures "5,500.00".

Line 289—Change the word "Mtce." to read "Maintenance".

Line 291—Change the word "Ins." to read "Insurance", "Comp." to "Compensation".

Line 292—Change the word "Bldg." to read "Building".

Line 294—Strike out the figures "\$209,156.00" and insert in lieu thereof the figures "\$217,082.00".

Line 307—Strike out the figures "350.00" and insert in lieu thereof the figures "250.00".

Line 310—Strike out the figures "\$17,904.00" and insert in lieu thereof the figures "\$17,804.00".

Line 314—Change the word “Ass’t” to read “Assistant”.

Line 316—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 328—Strike out the figures “20,360.00” and insert in lieu thereof the figures “21,440.00”.

Line 329—Change the word “Prtg.” to read “Printing”, “Furn.” to read “Furniture”.

Line 334—Strike out the figures “\$38,660.00” and insert in lieu thereof the figures “\$39,740.00”.

Line 345—Strike out the figures “\$4,800.00” and insert in lieu thereof the figures “\$6,600.00”.

Insert a new line as follows:

“345a Salary—Assistant Adjutant General .....5,400.00”.

Line 346—Strike out the figures “13,840.00” and insert in lieu thereof the figures “8,640.00”.

Line 347—Change the word “Furn.” to read “Furniture” and strike out the figures “1,800.00” and insert in lieu thereof the figures “1,500.00”.

Line 350 and 351—Strike out in their entirety.

Line 352—Strike out the figures “\$26,090.00” and insert in lieu thereof the figures “\$22,790.00”.

Line 355—Change the word “Mtce.” to read “Maintenance”.

Line 361—Change the word “Mtce.” to read “Maintenance”.

Line 375—Strike out the figures “900.00” and insert in lieu thereof the figures “1,100.00”.

Line 377—Strike out the figures “\$2,500.00” and insert in lieu thereof the figures “\$2,700.00”.

Line 382—After the words “prescribed by” strike out the words and figures “Sections 710a1 to 710a6,” and strike out lines 383 and 384 in their entirety and in line 385, strike out the words and figures “and Chapter 93, Session Laws of 1929.” and insert in lieu thereof the words and figures “Section 54-1503, of the North Dakota Revised Code of 1943.”

Line 393—Strike out the figures “\$10,000.00” and insert in lieu thereof the figures “\$8,400.00”.

Line 394—Strike out the figures “121,480.00” and insert in lieu thereof the figures “100,000.00”.

Line 395—Change the word “Prtg.” to “Printing”, “Furn.” to “Furniture” and strike out the figures “5,000.00” and insert in lieu thereof the figures “4,000.00”.

Line 396—Strike out the figures “1,750.00” and insert in lieu thereof the figures “1,500.00”.

Line 397—Strike out the figures “33,000.00” and insert in lieu thereof the figures “30,000.00”.

Line 399—Strike out the words and figures “(Chap. 91, S. L. 1943)” and insert in lieu thereof the words and figures “(Section 6-0103, of the North Dakota Revised Code of 1943)”.

Line 401—Strike out the words and figures “(Chap. 123, S. L. 1943)” and insert in lieu thereof the words and figures “(Section 6-0122, of the North Dakota Revised Code of 1943)” and strike out the figures “4,800.00” and insert in lieu thereof the figures “3,000.00”.

Line 402—Strike out the figures "\$177,780.00" and insert in lieu thereof the figures "\$148,650.00".

Line 405—Strike out the figures "\$2,400.00" and insert in lieu thereof the figures "\$1,500.00".

Line 406—Change the word "Prtg." to "Printing", "Furn." to "Furniture" and strike out the figures "750.00" and insert in lieu thereof the figures "550.00".

Line 408—Strike out the figures "1,000.00" and insert in lieu thereof the figures "500.00".

Line 409—Strike out the figures "5,000.00" and insert in lieu thereof the figures "3,000.00".

Line 410—Strike out the figures "\$9,450.00" and insert in lieu thereof the figures "\$5,850.00".

Line 413—Strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$8,400.00".

Line 414—Strike out the figures "6,000.00" and insert in lieu thereof the figures "5,400.00".

Line 417—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

Line 418—Strike out the figures "700.00" and insert in lieu thereof the figures "500.00".

Line 419—Strike out the figures "1,800.00" and insert in lieu thereof the figures "1,000.00".

Line 420—Strike out the figures "800.00" and insert in lieu thereof the figures "500.00".

Line 421—Strike out the figures "6,000.00" and insert in lieu thereof the figures "5,000.00".

Line 422—Strike out the figures "5,000.00" and insert in lieu thereof the figures "3,500.00".

Line 423—Strike out the figures "18,000.00" and insert in lieu thereof the figures "15,000.00".

Line 424—Strike out the figures "\$56,640.00" and insert in lieu thereof the figures "\$47,640.00".

Line 429—After the word "Funds" strike out the word "No".

Line 430—Strike out the figures "\$70,000.00" and insert in lieu thereof the figures "\$50,000.00".

Line 431—Strike out the figures "\$70,000.00" and insert in lieu thereof the figures "\$50,000.00".

Line 432—Strike out the figures "\$2,552,828.00" and insert in lieu thereof the figures "\$2,365,007.00".

Line 436—After the words "provided for in" strike out the words and figures "Chapter 214, Session" and Line 437 strike out in its entirety and insert in lieu thereof the words and figures "Section 48-0602, of the North Dakota Revised Code of 1943".

And further amend by renumbering the lines.

Wherever lines appear numbered by letters change the same to numerals by renumbering the lines.

And when so amended recommend the same do pass.

REP. WOLF of McIntosh, Chairman.  
Committee of the Whole.

Rep. Westby moved that the report of the Committee of

the Whole be adopted, which motion prevailed and the report was adopted.

### FIRST READING OF HOUSE BILLS

The Delayed Bills Committee introduced:

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Correspondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

Was read the first time and referred to the Committee on State Affairs.

Rep. McInnes requested that an extension of time be granted on House Bills Nos. 133, 149, 157, and 163, also Senate Bill No. 87.

Rep. Johnson of Richland moved that the request be granted, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 124. A Bill for an Act Extending the Time in Which County Officers Shall Adopt and Conform to Uniform System of Accounting Prescribed by State Examiner by Section 6-0122 of the Revised Code of 1943, from July 1st, 1945, to July 1st, 1947.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Haugen	Mortenson
Anderson	Isaak	Ostgulen
Belzer	Jennings	Rohrer
Boucher	Klefstad	Schimke
Crockett	Larson	Schlafmann
Drovdal	Levin	Schwartz
Forseth	Lillehaugen	Seibel
Gainor	Maher	Stair
Graham	Moerke	Thompson, Rich'nd
Grenier	Mollet	Tuff
Halvorson	Monson	

Those voting in the negative were:

Allen, Grand Forks	Fuglestad	Saumur
Allen, Pierce	Haag	Schmalenberger
Arndt	Halcrow	Schmidt, Logan
Bagge	Haugland	Schmidt, Morton
Baumgartner	Heckman	Schnell
Benno	Hegge	Sellens
Bjella	Herk	Severson
Blair	Hildre	Sharpe
Bolmeier	Hofstrand	Shockman
Brady	Hogoboom	Skaar
Bubel	Hovey	Smart
Burau	Johnson, Richland	Stanley
Bymers	Langley	Sticka

Callahan	Leet	Still
Collette	Lindberg	Stormon
Dalzell	Luick	Symington
Devlin	Lysne	Thompson, Griggs
Dittmer	McInnes	Wambheim
Drawz	Moe	Welk
Ekren	Mork	Westby
Engel	Nystrom	Wolf, McIntosh
Esterby	Olson, Barnes	Wolf, Morton
Falconer	Ohnstad	Wollitz
Fleck	Pyle	Yirchott
Frank	Sailer	Mr. Speaker
Fraser	Sandness	
Absent and not voting:		
Fitch	Johnson, Cass	Olson, Bowman

So the bill was lost.

Rep. Johnson of Richland moved that the vote by which House Bill No. 124 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett moved that House Bill No. 165 be laid over one legislative day, which motion was lost.

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic Beverages from Having Any Financial Interest in the Business of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers from Giving Financial Aid or Furnishing Fixtures or Other Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Acheson	Graham	Nystrom
Allen, Grand Forks	Grenier	Ohnstad
Allen, Pierce	Halvorson	Olson, Barnes
Anderson	Haugen	Ostgulen
Arndt	Haag	Pyle
Bagge	Halcrow	Rohrer
Baumgartner	Haugland	Sailer
Belzer	Heckman	Sandness
Benno	Hegge	Saumur
Bjella	Herk	Schlafmann
Blair	Hildre	Schmidt, Logan
Bolmeier	Hofstrand	Schmidt, Morton
Bubel	Hogoboom	Seibel
Boucher	Hovey	Sellens
Brady	Isaak	Severson
Bureau	Jennings	Sharpe
Bymers	Johnson, Cass	Shockman
Callahan	Johnson, Richland	Skaar
Collette	Klefstad	Smart
Dalzell	Langley	Stair
Devlin	Leet	Stanley
Dittmer	Levin	Still
Drawz	Lillehaugen	Stormon

Drovdal	Lindberg	Symington
Ekren	Luick	Thompson, Griggs
Engel	Lysne	Thompson, Richl'nd
Esterby	Maher	Tuff
Falconer	McInnes	Wambheim
Fitch	Moe	Welk
Fleck	Moerke	Westby
Forseth	Mollet	Wolf, McIntosh
Frank	Monson	Wollitz
Fraser	Mork	Yirchott
Fuglestad	Mortenson	Mr. Speaker
Gainor		
Those voting in the negative were:		
Crockett	Schmalenberger	Schwartz
Larson	Schnell	Sticka
Schimke		

## Absent and not voting:

Olson, Bowman      Wolf, Morton

So the bill passed and the title was agreed to.

Rep. Moe moved that the vote by which House Bill No. 165 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Graham moved that the vote by which House Bill No. 95 was indefinitely postponed be reconsidered.

Rep. Dalzell moved the previous question, which motion prevailed.

The question being on the motion of Rep. Graham, which motion was lost.

Rep. Nystrom moved that House Bill No. 253 be re-referred to the Committee on Ways and Means, which motion prevailed.

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 12; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Gainor	Olson, Barnes
Allen, Grand Forks	Graham	Ostgulen
Allen, Pierce	Grenier	Pyle
Anderson	Haag	Rohrer
Arndt	Halerow	Sailer
Bagge	Halvorson	Sandness
Baumgartner	Haugland	Saumur
Belzer	Heckman	Schimke
Benno	Hegge	Schlafmann
Bjella	Hofstrand	Schmalenberger
Blair	Hogoboom	Schmidt, Logan
Bolmeier	Hovey	Schmidt, Morton
Boucher	Jennings	Schnell
Brady	Johnson, Cass	Schwartz
Bubel	Johnson, Richland	Seibel
Burau	Langley	Sellens

Bymers	Larson	Severson
Callahan	Leet	Sharpe
Crockett	Levin	Skaar
Dalzell	Lindberg	Smart
Devlin	Luick	Stair
Dittmer	Lysne	Sticka
Drawz	McInnes	Still
Drovdal	Maher	Stormon
Esterby	Moerke	Symington
Falconer	Mollet	Thompson, Griggs
Fitch	Monson	Tuff
Fleck	Mork	Welk
Forseth	Mortenson	Westby
Fraser	Nystrom	Wolf, McIntosh
Fuglestad	Ohnstad	Mr. Speaker
Those voting in the negative were:		
Collette	Herk	Stanley
Ekren	Lillehaugen	Thompson, Rich'nd
Engel	Moe	Wollitz
Frank	Shockman	Yirchott
Absent and not voting:		
Haugen	Klefstad	Wambheim
Hildre	Olson, Bowman	Wolf, Morton
Isaak		

So the bill passed and the title was agreed to.

Rep. Stormon moved that the vote by which House Bill No. 92 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Richland moved that House Bill No. 75 be placed at the head of the Calendar, which motion prevailed.

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 61; nays, 48; absent and not voting, 3.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Sailer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schimke
Benno	Herk	Schlafmann
Blair	Hildre	Schnell
Bolmeier	Hovey	Sellens
Burau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Skaar
Collette	Langley	Smart
Crockett	Larson	Sticka
Dalzell	Leet	Still
Dittmer	Luick	Stormon
Drawz	McInnes	Symington



Ekren	Mortenson	Thompson, Griggs
Fitch	Nystrom	Thompson, Richl'nd
Fleck	Ohnstad	Wollitz
Forseth	Olson, Barnes	Yirchott
Fuglestad	Pyle	Mr. Speaker
Graham		

Those voting in the negative were:

Acheson	Grenier	Monson
Allen, Pierce	Haag	Mork
Baumgartner	Halvorson	Ostgulen
Belzer	Hegge	Rohrer
Bjella	Hofstrand	Schmalenberger
Boucher	Hogoboom	Schmidt, Logan
Brady	Isaak	Schmidt, Morton
Bubel	Jennings	Schwartz
Devlin	Levin	Seibel
Drovdal	Lillehaugen	Shockman
Engel	Lindberg	Stair
Esterby	Lysne	Stanley
Falconer	Maher	Tuff
Frank	Moe	Welk
Fraser	Moerke	Westby
Gainor	Mollet	Wolf, McIntosh

Absent and not voting:

Olson, Bowman	Wambheim	Wolf, Morton
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So the bill passed as amended and the title was agreed to.

Rep. Sailer moved that the vote by which House Bill No. 75 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Leet requested the unanimous consent of the House to amend House Bill No. 123, which request was granted.

Rep. Leet moved to amend House Bill No. 123 as follows:

In the title of the bill insert the words "North Dakota" after the word "the" and before the word "Revised".

In line one of the bill insert the words "North Dakota" after the word "the" and before the word "Revised" and renumber the lines, which motion prevailed.

Rep. Leet moved that the rules be suspended and House Bill No. 123, as amended, be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 15-4014 of the North Dakota Revised Code of 1943, Relating to the Amount of High School Tuition, the Amount of Payments, and the Tuition of Students Attending School in a Foreign School.

Was read the 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, 3; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Grenier	Olson, Barnes
Allen, Grand Forks	Haag	Ostgulen
Allen, Pierce	Halcrow	Pyle
Anderson	Halvorson	Rohrer
Arndt	Haugen	Sailer

Bagge	Haugland	Sandness
Baumgartner	Heckman	Saumur
Belzer	Hegge	Schimke
Benno	Herk	Schlafmann
Bjella	Hildre	Schmalenberger
Blair	Hofstrand	Schmidt, Logan
Bolmeier	Hogoboom	Schmidt, Morton
Boucher	Hovey	Schnell
Brady	Isaak	Schwartz
Bubel	Jennings	Sellens
Burau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Crockett	Larson	Stair
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	Maher	Thompson, Griggs
Engel	McInnes	Thompson, Rich'nd
Esterby	Moe	Tuff
Fitch	Moerke	Welk
Forseth	Mollet	Westby
Frank	Monson	Wolf, McIntosh
Fraser	Mork	Wollitz
Fuglestad	Mortenson	Yirchott
Gainor	Nystrom	Mr. Speaker
Graham	Ohnstad	

Those voting in the negative were:

Falconer      Lillehaugen      Seibel

Absent and not voting:

Fleck      Smart      Wolf, Morton

Olson, Bowman      Wambheim

So the bill passed as amended and the title was agreed to.

Rep. Bubel requested the unanimous consent of the House to amend House Bill No. 121, which request was granted.

Rep. Bubel moved that House Bill No. 121 be amended as follows:

In the title of the Bill after the word "the" and before the word "revised" insert the words "North Dakota".

In line one of the Bill after the word "the" and before the word "revised" insert the words "North Dakota" and renumber the lines, which motion prevailed.

Rep. Bubel moved that the rules be suspended and House Bill No. 121, as amended, be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 121. A Bill for an Act to Amend and Re-enact Section 15-4011 of the North Dakota Revised Code of 1943, Relating to the Determination of Sums Due School Districts from the State Equalization Fund on Per Pupil Basis.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 106; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Haag	Olson, Barnes
Allen, Grand Forks	Halcrow	Ostgulen
Allen, Pierce	Halvorson	Pyle
Anderson	Haugen	Rohrer
Arndt	Haugland	Sailer
Bagge	Heckman	Sandness
Baumgartner	Hegge	Saumur
Belzer	Herk	Schimke
Benno	Hildre	Schlafmann
Bjella	Hofstrand	Schmalenberger
Blair	Hogoboom	Schmidt, Logan
Bolmeier	Hovey	Schmidt, Morton
Boucher	Isaak	Schnell
Brady	Jennings	Schwartz
Bubel	Johnson, Cass	Seibel
Bureau	Johnson, Richland	Sellens
Bymers	Klefstad	Severson
Callahan	Langley	Sharpe
Collette	Larson	Shockman
Crockett	Leet	Skaar
Dalzell	Levin	Stair
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Luick	Still
Drovdal	Lysne	Stormon
Ekren	McInnes	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Rich'nd
Fitch	Moerke	Tuff
Forseth	Mollet	Welk
Frank	Monson	Westby
Fraser	Mork	Wolf, McIntosh
Fuglestad	Mortenson	Wollitz
Gainor	Nystrom	Yirchott
Graham	Ohnstad	Mr. Speaker
Grenier		

Those voting in the negative were:

Falconer

Absent and not voting:

Fleck	Smart	Wolf, Morton
Olson, Bowman	Wambheim	

So the bill passed as amended and the title was agreed to.

House Bill No. 173. A Bill for an Act Requiring All Persons, Partnerships, Groups, Associations or Corporations, Soliciting or Receiving Funds from the General Public or from Any Individual, Partnership, Group, Association or Corporation, to Be Used for the Purpose of Promoting, Defeating, or Repeal of Proposed Legislation or Constitutional Amendments, to File with the Secretary of State a Statement of the Amount of Funds Received and Accepted, the Names of Persons, Partnerships, Associations or Corporations from Whom Received; Making Certain Exceptions; Providing Penalties for Violation.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 104; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Grenier	Olson, Barnes
Allen, Grand Forks	Haag	Ostgulen
Allen, Pierce	Halcrow	Pyle
Anderson	Halvorson	Rohrer
Arndt	Haugen	Sailer
Bagge	Haugland	Sandness
Baumgartner	Heckman	Saumur
Belzer	Hegge	Schimke
Benno	Herk	Schlafmann
Bjella	Hildre	Schmalenberger
Bolmeier	Hofstrand	Schmidt, Logan
Boucher	Hogoboom	Schmidt, Morton
Brady	Hovey	Schnell
Bubel	Isaak	Schwartz
Burau	Jennings	Seibel
Bymers	Johnson, Cass	Sellens
Callahan	Johnson, Richland	Severson
Collette	Klefstad	Sharpe
Crockett	Langley	Shockman
Dalzell	Larson	Skaar
Devlin	Leet	Stair
Dittmer	Levin	Stanley
Drawz	Lillehaugen	Sticka
Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Engel	Lysne	Thompson, Griggs
Esterby	McInnes	Thompson, Richl'nd
Falconer	Maher	Tuff
Fitch	Moe	Welk
Forseth	Moerke	Westby
Frank	Mollet	Wolf, McIntosh
Fraser	Monson	Wollitz
Fuglestad	Mork	Yirchott
Gainor	Nystrom	Mr. Speaker
Graham	Ohnstad	

Those voting in the negative were:

Blair	Mortenson	Symington
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Absent and not voting:

Fleck	Smart	Wolf, Morton
Olson, Bowman	Wambheim	

So the bill passed as amended and the title was agreed to.

Rep. Wolf of McIntosh moved that the vote by which House Bill No. 173 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bolmeier moved that the House recess until 12:30 o'clock p. m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

FORTY-THIRD DAY AFTER RECESS  
AND FORTY-FOURTH DAY

Bismarck, February 14, 1945

The House reconvened at 12:30 o'clock p. m., pursuant to recess taken, Speaker Bergesen presiding.

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 8.  
House Bill No. 106.  
House Bill No. 121.  
House Bill No. 123.  
House Bill No. 152.  
House Bill No. 160.  
House Bill No. 172.

And find the same correctly Engrossed.

REP. LEET, 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 Veterans and Military Affairs to whom was referred House Bill No. 194, have had the same under consideration and recommend that the same be amended as follows:

In line 4 after the word "of" strike out the word "sargent" and in lieu thereof insert the word "sergeant".

And when so amended recommend the same do pass.

REP. SEVERSON, Chairman.

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the rules be suspended and House Bill No. 194 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 194 placed on the calendar.

SECOND READING OF HOUSE BILLS

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 46; absent and not voting, 27.

Those voting in the affirmative were:

Acheson	Fitch	Olson, Barnes
Bagge	Fuglestad	Pyle
Baumgartner	Gainor	Seibel
Benno	Grenier	Severson
Bjella	Herk	Sharpe
Blair	Hildre	Stair
Bolmeier	Hogoboom	Stanley
Boucher	Hovey	Sticka
Brady	Lindberg	Still
Collette	Luick	Thompson, Griggs
Dittmer	McInnes	Wambheim
Drawz	Maher	Westby
Falconer	Nystrom	Wollitz

Those voting in the negative were:

Allen, Grand Forks	Haugen	Schimke
Allen, Pierce	Heckman	Schlafmann
Anderson	Hegge	Schmalenberger
Arndt	Johnson, Richland	Schmidt, Logan
Belzer	Larson	Schmidt, Morton
Bubel	Leet	Schwartz
Burau	Levin	Shockman
Callahan	Lillehaugen	Skaar
Dalzell	Moe	Stormon
Devlin	Moerke	Symington
Drovdal	Mollet	Thompson, Rich'nd
Engel	Monson	Tuff
Esterby	Mortenson	Welk
Frank	Ostgulen	Wolf, McIntosh
Halcrow	Rohrer	Mr. Speaker
Halvorson		

Absent and not voting:

Bymers	Hofstrand	Olson, Bowman
Crockett	Isaak	Sailer
Ekren	Jennings	Sandness
Fleck	Johnson, Cass	Saumur
Forseth	Klefstad	Schnell
Fraser	Langley	Sellens
Graham	Lysne	Smart
Haag	Mork	Wolf, Morton
Haugland	Ohnstad	Yirchott

So the bill was lost.

Rep. Johnson of Richland changed his vote from "aye" to "nay" for the purpose of reconsideration.

Rep. Allen of Grand Forks changed his vote from "aye" to "nay" for the purpose of reconsideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 207, have had the same under consideration and recommend that the same be amended as follows:

In line 15 of the Bill strike out the term "39th" and insert in lieu thereof the term "29th" so that it will read "29th Legislative Assembly".

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Drovdal moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Seibel moved that the rules be suspended and House Bill No. 207 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 207 placed on the calendar.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 98, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Haugen moved that the report be adopted.

Rep. Bymers offered as a substitute motion that House Bill No. 98 be placed in General Orders for the purpose of amendment.

On a voice vote the Chair was in doubt.

A rising vote revealed 44 voting for and 43 voting against, so the motion was lost.

The question was on the motion of Rep. Haugen.

On a voice vote the Chair was in doubt.

A rising vote revealed 46 voting for and 36 voting against, so the motion prevailed and House Bill No. 98 was indefinitely postponed.

Rep. Fitch moved that the vote by which House Bill No. 98 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 163, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Still moved that the report be adopted.

Rep. Bymers offered as a substitute motion that House Bill No. 163 do pass, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 203, have had the same under consideration and recommend that the same do pass.

The Committee further recommends that the bill be re-referred to the Committee on Appropriations.

REP. BOLMEIER, Chairman.

Rep. Fitch moved that House Bill No. 203 be re-referred to the Committee on Appropriations, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 178, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 184, have had the same under

consideration and recommend that the same be indefinitely postponed.

REP. BOLMEIER, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 200, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Schnell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 179, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Still moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the vote by which House Bill No. 179 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 44, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Sellens moved that the report be adopted, which motion prevailed.

A division was called for and which revealed 46 voting for and 52 voting against, so the motion was lost.

Rep. Crockett moved that Senate Bill No. 44 be indefinitely postponed.

Rep. Fitch moved to defer action on Senate Bill No. 44 one legislative day.

Rep. Crockett moved that the motion of Rep. Fitch be laid on the table.

On a voice vote the chair was in doubt. A rising vote revealed 51 voting for and 49 voting against, so the motion prevailed.

The question was on the motion of Rep. Crockett that Senate Bill No. 44 be indefinitely postponed.

Rep. Fitch demanded a Call of the House.

A Call of the House was ordered and the Clerk proceeded to call the roll. The roll call disclosed all members present except Reps. Olson of Bowman, Schnell and Sellens.

The Sergeant-at-Arms was instructed to close the doors and bring in the absent members.

Rep. Fitch moved that the Call of the House be dispensed with, which motion prevailed.

The question then was on the motion of Rep. Crockett that Senate Bill No. 44 be indefinitely postponed.

On a voice vote the chair was in doubt.

A roll call was demanded.



## ROLL CALL

The question being on the motion to indefinitely postpone Senate Bill No. 44, the roll was called and there were ayes, 53; nays, 58; absent and not voting, 1.

Those voting in the affirmative were:

Acheson	Halvorson	Schimke
Anderson	Haugen	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Hofstrand	Schmidt, Logan
Boucher	Isaak	Schmidt, Morton
Bubel	Jennings	Schnell
Crockett	Larson	Schwartz
Devlin	Levin	Seibel
Dittmer	Lillehaugen	Shockman
Drovdal	Lindberg	Stair
Engel	Maher	Stanley
Esterby	Moerke	Symington
Forseth	Mollet	Thompson, Rich'l'nd
Frank	Monson	Tuff
Fraser	Mork	Welk
Graham	Mortenson	Wolf, McIntosh
Grenier	Ostgulen	Wolf, Morton
Haag	Rohrer	

Those voting in the negative were:

Allen, Grand Forks	Gainor	Olson, Barnes
Allen, Pierce	Halcrow	Pyle
Arndt	Haugland	Sailer
Bagge	Heckman	Sandness
Benno	Herk	Saumur
Bjella	Hildre	Sellens
Blair	Hogoboom	Severson
Bolmeier	Hovey	Sharpe
Brady	Johnson, Cass	Skaar
Bureau	Johnson, Richland	Smart
Bymers	Klefstad	Sticka
Callahan	Langley	Still
Collette	Leet	Stormon
Dalzell	Luick	Thompson, Griggs
Drawz	Lysne	Wambheim
Ekren	McInnes	Westby
Falconer	Moe	Wollitz
Fitch	Nystrom	Yirchott
Fleck	Ohnstad	Mr. Speaker
Fuglestad		

Absent and not voting:

Olson, Bowman

So the motion was lost.

Rep. Falconer: I wish to explain my vote and have my remarks printed in the Journal. The expense of building the new mansion will be very small for the State of North Dakota, when you take into consideration the fact that the old governor's mansion may be sold or disposed of for an amount sufficient to cover a great share of the building expense of the new building. The new building will be invaluable in completing the beautiful setting and surroundings of our Capitol building.

Rep. Bolmeier moved that Senate Bill No. 44 do pass, which motion prevailed.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: Your Committee on Temperance, to whom was referred House Bill No. 147, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after A BILL and insert the following:

For an Act Requiring All Persons Purchasing Alcoholic Beverages at Retail in This State to Procure a Permit and Forbidding Sale by Retailers to One Without a Permit; Fixing the Charge for Same and Providing Penalty for Non-compliance.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

1 SECTION 1. From and after the passage of this  
2 Act it shall be unlawful for any person to purchase  
3 at retail in the State of North Dakota alcoholic  
4 beverages, without first having procured a permit  
5 authorizing such purchase as is hereafter in this  
6 Act set forth. Such permits shall be issued for  
7 periods of thirty (30) days, six (6) months and one  
8 (1) year, and the fees therefor shall be twenty-five  
9 (25) cents for thirty (30) days, fifty (50) cents  
10 for six (6) months and One dollar (\$1.00) for one  
11 (1) year.

12 Such permit shall be on a form prepared by the  
13 Attorney General and may be issued by the City Audi-  
14 tors of Cities, the Clerks of the Board of Trustees  
15 of Villages, County Auditors, or by the State Audi-  
16 tor, and the fees collected and charged for such  
17 permits shall be paid to the State Treasurer and by  
18 him conveyed into the General Fund of the State.

19 SECTION 2. No permits shall be issued to any  
20 person under twenty-one (21) years of age.

21 SECTION 3. It shall be unlawful for any re-  
22 tail liquor dealer to sell any alcoholic beverages,  
23 to any person not having the permit hereinbefore  
24 provided for.

25 SECTION 4. Any person violating the provi-  
26 sions of this Act is guilty of a misdemeanor and  
27 upon conviction shall be punished according to the  
28 provisions of Section 5-0120 of the North Dakota  
29 Revised Code of 1943.

And when so amended recommend the same do pass.

REP. ALLEN of Pierce, Chairman.

Rep. Fuglestad moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 211, have had the same under consideration and recommend that the same be amended as follows:

After line 14 strike out the "period" and insert the following: established prior to January 1st, 1945 and renumber the lines.

And when so amended recommend the same do pass.

REP. ALLEN of Pierce, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Wolf of McIntosh moved that the rules be suspended and House Bill No. 211 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 211 placed on the calendar.

Mr. Speaker: The majority of your Committee on Temperance to whom was referred House Bill No. 197, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Pierce  
 REP. SMART  
 REP. FUGLESTAD  
 REP. LINDBERG  
 REP. OSTGULEN  
 REP. LILLEHAUGEN  
 REP. HECKMAN

REP. ALLEN of Pierce, Chairman.

Mr. Speaker: The minority of your Committee on Temperance to whom was referred House Bill No. 197, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH  
 REP. HALCROW  
 REP. HAAG

Rep. Fuglestad moved that House Bill No. 197 be placed in General Orders for the purpose of Amendments.

Rep. Fitch offered as a substitute motion that it be referred to the Committee on Temperance, which motion prevailed.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 84.

And find the same correctly Enrolled.

REP. LEET, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Bolmeier, chairman of the Committee on State Affairs, returned House Bill No. 251.

Rep. Johnson of Cass moved that House Bill No. 251 be withdrawn, which motion prevailed.

Rep. Bolmeier moved that the absent members be excused, which motion prevailed.

Rep. Ekren moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

#### FORTY-FOURTH DAY

Bismarck, February 14, 1945

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Major Walter Lee.  
Roll call: All members present except Rep. Olson of Bowman.

## MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 14, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 21.  
Senate Bill No. 67.  
Senate Bill No. 102.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, February 14, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State Aeronautics Committee of North Dakota as Its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Section 26-1501 of the North Dakota Revised Code of 1943, Relating to Organization of County Mutual Insurance Companies.

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Compensation of the Chief Engineer of the State Highway Department.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Senate Bill No. 139. A Bill for an Act to Amend and Re-

enact Sections 28-0212 and 28-0213 of the North Dakota Revised Code of 1943, Relating to Continuance of Actions and Procedure in Case of Death or Other Disability of a Party, and Relating to Procedure in Case of Death of One or More Plaintiffs or Defendants.

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-second Day After Recess and the Forty-third Day and recommends that the same be corrected as follows:

In line 2 page 455 change the word "Diseased" to "Deceased".

In line 16 page 466 change the word "Diseased" to "Deceased".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 14, 1945

Mr. President: I have the honor to transmit:

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

House Bill No. 121. A Bill for an Act to Amend and Re-enact Section 15-4011 of the North Dakota Revised Code of 1943, Relating to the Determination of Sums Due School Districts from the State Equalization Fund on Per Pupil Basis.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 15-4014 of the North Dakota Revised Code of 1943, Relating to the Amount of High School Tuition, the Amount of Payments, and the Tuition of Students Attending School in a Foreign School.

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic Beverages from Having Any Financial Interest in the Business of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers

from Giving Financial Aid or Furnishing Fixtures or Other Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.

House Bill No. 173. A Bill for an Act Requiring All Persons, Partnerships, Groups, Associations or Corporations, Soliciting or Receiving Funds from the General Public or from Any Individual, Partnership, Group, Association or Corporation, to Be Used for the Purpose of Promoting, Defeating, or Repeal of Proposed Legislation or Constitutional Amendments, to File with the Secretary of State a Statement of the Amount of Funds Received and Accepted, the Names of Persons, Partnerships, Associations or Corporations from Whom Received; Making Certain Exceptions; Providing Penalties for Violation.

House Concurrent Resolution "N." A Concurrent Resolution Memorializing the Congress of the United States to Propose an Amendment to the Constitution of the United States of America Limiting the Term of Office of a President of the United States to Not More Than Two Consecutive Terms.

House Concurrent Resolution "O." A Concurrent Resolution Memorializing the Congress of the United States to Enact Legislation Placing the Entire Nation Upon Greenwich Time.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 14, 1945

Mr. President: I have the honor to transmit:

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 164. A Bill for an Act to Permit a Surviving Husband or Wife to Dissent from the Terms of a Will, and to Elect to Inherit Under the Laws of Succession.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 64; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Fraser	McInnes
Allen, Pierce	Fuglestad	Moerke
Anderson	Gainor	Mollet
Arndt	Grenier	Mortenson
Baumgartner	Haag	Ohnstad
Belzer	Halcrow	Ostgulen
Burau	Hegge	Rohrer
Bymers	Hildre	Schimke
Crockett	Hofstrand	Sellens
Devlin	Jennings	Thompson, Griggs
Drovdal	Johnson, Richland	Thompson, Richl'nd
Falconer	Langley	Tuff
Fleck	Larson	Wambheim
Forseth	Lindberg	

Those voting in the negative were:

Allen, Grand Forks	Herk	Schmidt, Morton
Bagge	Hogoboom	Schnell
Benno	Hovey	Schwartz
Bjella	Johnson, Cass	Seibel
Blair	Klefstad	Severson
Bolmeier	Leet	Sharpe
Brady	Levin	Shockman
Bubel	Lillehaugen	Skaar
Callahan	Luick	Smart
Collette	Lysne	Stanley
Dalzell	Moe	Sticka
Dittmer	Monson	Still
Drawz	Nystrom	Stormon
Ekren	Olson, Barnes	Symington
Engel	Pyle	Welk
Esterby	Sailer	Westby
Frank	Sandness	Wolf, McIntosh
Graham	Saumur	Wolf, Morton
Halvorson	Schlafmann	Wollitz
Haugen	Schmalenberger	Yirchott
Haugland	Schmidt, Logan	Mr. Speaker
Heckman		

Absent and not voting:

Boucher	Maher	Olson, Bowman
Fitch	Mork	Stair
Isaak		

So the bill was lost.

Rep. Graham changed his vote from "aye" to "nay" for the purpose of reconsideration.

Rep. Johnson of Richland moved that the vote by which House Bill No. 171 was indefinitely postponed be reconsidered, which motion prevailed.

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

Was read the second time.

Rep. Thompson of Richland moved the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 60; nays, 45; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Forseth	Pyle
Allen, Pierce	Fuglestad	Sandness
Arndt	Gainor	Saumur
Bagge	Halcrow	Sellens
Benno	Haugen	Severson
Bjella	Haugland	Sharpe
Blair	Herk	Shockman
Bolmeier	Hildre	Skaar
Boucher	Hogoboom	Smart
Brady	Hovey	Stanley
Bymers	Isaak	Sticka
Callahan	Johnson, Cass	Still
Collette	Johnson, Richland	Stormon
Dalzell	Klefstad	Thompson, Griggs
Dittmer	Langley	Wambheim
Drawz	Luick	Westby
Ekren	McInnes	Wolf, Morton
Falconer	Nystrom	Wollitz
Fleck	Ohnstad	Yirchott
Fitch	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks	Halvorson	Ostgulen
Anderson	Hegge	Rohrer
Baumgartner	Hofstrand	Schimke
Belzer	Jennings	Schlafmann
Bubel	Larson	Schmidt, Logan
Burau	Levin	Schmidt, Morton
Crockett	Lillehaugen	Schnell
Devlin	Lindberg	Schwartz
Drovdal	Lysne	Seibel
Engel	Moe	Stair
Frank	Moerke	Symington
Fraser	Mollet	Thompson, Richl'nd
Graham	Monson	Tuff
Grenier	Mork	Welk
Haag	Mortenson	Wolf, McIntosh

Absent and not voting:

Esterby	Maher	Sailer
Heckman	Olson, Bowman	Schmalenberger
Leet		

So the bill passed and the title was agreed to.

Rep. Allen of Grand Forks voted "no" for the purpose of reconsideration.

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 102; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Graham	Pyle
Allen, Grand Forks	Grenier	Rohrer



Allen, Pierce	Haag	Sandness
Anderson	Halcrow	Saumur
Arndt	Halvorson	Schimke
Baumgartner	Haugen	Schlafmann
Belzer	Haugland	Schmalenberger
Benno	Heckman	Schmidt, Logan
Bjella	Hegge	Schmidt, Morton
Blair	Hildre	Schnell
Bolmeier	Hofstrand	Schwartz
Boucher	Hogoboom	Seibel
Brady	Hovey	Sellens
Bubel	Isaak	Severson
Burau	Jennings	Sharpe
Bymers	Klefstad	Shoekman
Callahan	Langley	Skaar
Collette	Larson	Smart
Crockett	Leet	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Moe	Thompson, Rich'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Fitch	Monson	Welk
Fleck	Mork	Westby
Forseth	Mortenson	Wolf, McIntosh
Frank	Nystrom	Wolf, Morton
Fraser	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Yirchott
Gainor	Ostgulen	Mr. Speaker

Those voting in the negative were:

Levin

Absent and not voting:

Bagge	Johnson, Cass	Olson, Bowman
Dalzell	Johnson, Richland	Sailer
Herk	Maher	Stair

So the bill passed and the title was agreed to.

House Bill No. 152. A Bill for an Act Amending and Re-enacting Section 40-0706 of the North Dakota Revised Code of 1943 Relating to Compensation of Village Trustees, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 1; absent and not voting, 11.

Those voting in the affirmative were:

Acheson	Graham	Ostgulen
Allen, Grand Forks	Grenier	Pyle
Allen, Pierce	Haag	Rohrer
Anderson	Haugen	Sandness
Arndt	Halcrow	Saumur
Bagge	Halvorson	Schimke
Baumgartner	Haugland	Schlafmann
Belzer	Heckman	Schmalenberger
Benno	Hegge	Schmidt, Logan

Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Sellens
Brady	Isaak	Severson
Bubel	Jennings	Sharpe
Bureau	Johnson, Cass	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Larson	Stanley
Dalzell	Leet	Sticka
Devlin	Levin	Still
Dittmer	Lillehaugen	Stormon
Drawz	Lindberg	Symington
Drovdal	Luick	Thompson, Griggs
Ekren	Lysne	Thompson, Richland
Engel	Moerke	Tuff
Esterby	Mollet	Wambheim
Falconer	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Fleck	Mortenson	Wolf, Morton
Frank	Nystrom	Wollitz
Fraser	Ohnstad	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Gainor		

Those voting in the negative were:  
Seibel

Absent and not voting:

Crockett	McInnes	Sailer
Fitch	Maher	Stair
Herk	Moe	Welk
Johnson, Richland	Olson, Bowman	

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 136. A Bill for an Act to Repeal Sub-section 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Halvorson	Rohrer
Allen, Grand Forks	Haugen	Sailer
Allen, Pierce	Haugland	Sandness
Anderson	Heckman	Saumur
Arndt	Hegge	Schimke
Baumgartner	Herk	Schlafmann
Belzer	Hildre	Schmalenberger
Benno	Hofstrand	Schmidt, Logan
Bjella	Hogoboom	Schmidt, Morton
Blair	Hovey	Schnell
Bolmeier	Isaak	Schwartz
Boucher	Jennings	Seibel
Brady	Johnson, Cass	Sellens
Bubel	Johnson, Richland	Severson

Burau	Klefstad	Sharpe
Bymers	Langley	Shockman
Callahan	Larson	Skaar
Collette	Leet	Smart
Crockett	Levin	Stanley
Dalzell	Lillehaugen	Sticka
Devlin	Lindberg	Still
Dittmer	Luick	Stormon
Drawz	Lysne	Symington
Drovdal	Maher	Thompson, Griggs
Ekren	Moe	Thompson, Richland
Engel	Moerke	Tuff
Esterby	Mollet	Wambheim
Frank	Monson	Welk
Fraser	Mork	Westby
Fuglestad	Mortenson	Wolf, McIntosh
Gainor	Nystrom	Wolf, Morton
Graham	Ohnstad	Wollitz
Grenier	Ostgulen	Yirchott
Haag	Pyle	Mr. Speaker
Halcrow		
Absent and not voting:		
Bagge	Fleck	Olson, Barnes
Falconer	Forseth	Olson, Bowman
Fitch	McInnes	Stair

So the bill passed and the title was agreed to.

House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status, Issued by the Secretaries of War and Navy and Other Federal Officers and Employees, 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, 0; absent and not voting, 10.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugen	Saumur
Arndt	Haugland	Schimke
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogoboom	Schwartz
Bolmeier	Hovey	Seibel
Boucher	Isaak	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Burau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Leet	Stanley

Crockett	Levin	Sticka
Dalzell	Lillehaugen	Still
Devlin	Lindberg	Stormon
Dittmer	Luick	Symington
Drawz	Lysne	Thompson, Griggs
Drovdal	Maher	Thompson, Richl'nd
Ekren	Moe	Tuff
Engel	Moerke	Wambheim
Esterby	Mollet	Welk
Falconer	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Gainor	Ohnstad	Wollitz
Graham	Ostgulen	Yirchott
Grenier	Pyle	Mr. Speaker

Absent and not voting:

Fitch	Larson	Olson, Barnes
Fleck	McInnes	Olson, Bowman
Forseth	Mortenson	Stair
Fuglestad		

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugen	Saumur
Arndt	Haugland	Schlafmann
Bagge	Heckman	Schmalenberger
Baumgartner	Hegge	Schmidt, Logan
Belzer	Herk	Schmidt, Morton
Bjella	Hildre	Schnell
Blair	Hofstrand	Schwartz
Bolmeier	Hogoboom	Sellens
Boucher	Hovey	Seibel
Brady	Isaak	Severson
Bubel	Jennings	Sharpe
Bureau	Johnson, Cass	Shockman
Bymers	Klefstad	Skaar
Callahan	Leet	Smart
Collette	Levin	Stair
Crockett	Lillehaugen	Stanley
Dalzell	Lindberg	Sticka
Devlin	Luick	Still
Dittmer	Lysne	Stormon
Drawz	McInnes	Symington
Drovdal	Maher	Thompson, Griggs
Ekren	Moe	Thompson, Richl'nd
Engel	Moerke	Tuff
Esterby	Mollet	Wambheim

Falconer	Monson	Welk
Fleck	Mork	Westby
Frank	Mortenson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Fraser	Olson, Barnes	Wollitz
Gainor	Ostgulen	Yirchott
Graham	Pyle	Mr. Speaker
Grenier		

## Absent and not voting:

Benno	Johnson, Richland	Ohnstad
Fitch	Langley	Olson, Bowman
Forseth	Larson	Schimke

So the bill passed and the title was agreed to.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

Was 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:

Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Halvorson	Sailer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sellens
Bubel	Jennings	Severson
Bureau	Johnson, Richland	Sharpe
Bymers	Klefstad	Shockman
Callahan	Langley	Skaar
Collette	Larson	Smart
Dalzell	Leet	Stair
Devlin	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Thompson, Rich'nd
Falconer	Moe	Tuff
Fitch	Moerke	Wambheim
Fleck	Mollet	Welk
Frank	Monson	Wolf, McIntosh
Fraser	Mork	Wolf, Morton
Fuglestad	Mortenson	Wollitz
Gainor	Nystrom	Yirchott
Graham	Olson, Barnes	Mr. Speaker
Grenier	Ostgulen	

Absent and not voting:

Benno	Johnson, Cass	Schimke
Crockett	Ohnstad	Westby
Forseth	Olson, Bowman	

So the bill passed and the title was agreed to.

Rep. Haugen moved that the House do now recess for fifteen minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State Aeronautics Committee of North Dakota as Its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Was read the first time and referred to the Committee on Federal Relations.

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Veterans and Military Affairs.

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Section 26-1501 of the North Dakota Revised Code of 1943, Relating to Organization of County Mutual Insurance Companies.

Was read the first time and referred to the Committee on Insurance.

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Was read the first time and referred to the Committee on Insurance.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Compensation of the Chief Engineer of the State Highway Department.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943

Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 28-0212 and 28-0213 of the North Dakota Revised Code of 1943, Relating to Continuance of Actions and Procedure in Case of Death or Other Disability of a Party, and Relating to Procedure in Case of Death of One or More Plaintiffs or Defendants.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Was read the first time and referred to the Committee on Agriculture.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 14, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 52. A Bill for an Act Amending and Re-enacting Section 28-3208 of the North Dakota Revised Code of 1943, Relating to Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 27-0602 of the North Dakota Revised Code of 1943 Providing for the Salary and Expenses of Court Reporters.

House Bill No. 72. A Bill for an Act to Amend and Re-enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Prepayments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands.

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Mines and Mining to whom was referred House Bill No. 112, have had the same

under consideration and recommend that the same be indefinitely postponed.

REP. FLECK, Chairman.

Rep. Isaak moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Moe moved that the vote by which House Bill No. 112 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 126. A Bill for an Act Authorizing and Requiring the Board of Administration to Fix and Collect Rental for All Office Space in the Capitol, Used and Occupied by Federal Agencies, and to Require Removal from the Capitol of All of Such Agencies as Fail or Refuse to Pay Rental for the Space Occupied; and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 99; nays, 2; absent and not voting, 11.

Those voting in the affirmative were:

Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Halvorson	Sailer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sellens
Bubel	Jennings	Severson
Burau	Johnson, Cass	Sharp
Callahan	Johnson, Richland	Shockman
Collette	Klefstad	Smart
Crockett	Langley	Stair
Devlin	Larson	Stanley
Dittmer	Levin	Sticka
Drawz	Lillehaugen	Still
Drovdal	Lindberg	Symington
Ekren	Lysne	Thompson, Griggs
Engel	McInnes	Thompson, Richland
Esterby	Maher	Tuff
Fitch	Moe	Wambheim
Forseth	Moerke	Welk
Frank	Mollet	Westby
Fraser	Monson	Wolf, McIntosh
Fuglestad	Mork	Wolf, Morton
Gainor	Mortenson	Wollitz
Graham	Nystrom	Yirchott
Grenier	Ohnstad	Mr. Speaker

Those voting in the negative were:

Falconer                      Fleck



## Absent and not voting:

Benno	Luick	Schimke
Bymers	Olson, Barnes	Skaar
Dalzell	Olson, Bowman	Stormon
Leet	Ostgulen	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Brady moved that the vote by which House Bill No. 126 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

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, 102; nays, 6; absent and not voting, 4.

## ROLL CALL

## Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness
Bagge	Haugen	Saumur
Baumgartner	Haugland	Schlafmann
Belzer	Heckman	Schmalenberger
Benno	Hegge	Schmidt, Logan
Bjella	Herk	Schmidt, Morton
Bolmeier	Hildre	Schnell
Boucher	Hofstrand	Schwartz
Brady	Hogoboom	Seibel
Bubel	Hovey	Sellens
Burau	Isaak	Severson
Bymers	Jennings	Sharpe
Callahan	Johnson, Cass	Shockman
Collette	Johnson, Richland	Skaar
Crockett	Langlely	Smart
Dalzell	Larson	Stair
Devlin	Leet	Stanley
Dittmer	Levin	Sticka
Drawz	Lillehaugen	Still
Drovdal	Lindberg	Stormon
Ekren	Luick	Thompson, Griggs
Engel	McInnes	Thompson, Richl'nd
Esterby	Maher	Tuff
Fitch	Moel	Wambheim
Fleck	Moerke	Welk
Forseth	Mollet	Westby
Frank	Monson	Wolf, McIntosh
Fraser	Mork	Wolf, Morton
Fuglestad	Mortenson	Wollitz
Gainor	Nystrom	Yirchott
Graham	Olson, Barnes	Mr. Speaker

## Those voting in the negative were:

Arndt	Falconer	Ohnstad
Blair	Lysne	Pyle

**Absent and not voting:**

Klefstad                      Schimke                      Symington  
 Olson, Bowman

So the bill passed as amended and the title was agreed to and the emergency clause was declared carried.

Rep. Thompson of Richland moved that the vote by which House Bill No. 172 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 5.

**Those voting in the affirmative were:**

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sailer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Monton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sellens
Bubel	Jennings	Severson
Burau	Johnson, Cass	Sharpe
Bymers	Johnson, Richland	Shockman
Callahan	Langley	Skaar
Collette	Larson	Smart
Crockett	Leet	Stair
Dalzell	Levin	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lvsne	Thompson, Griggs
Ekren	McInnes	Thompson, Rich'nd
Engel	Maher	Tuff
Esterby	Moe	Wambheim
Falconer	Moerke	Welk
Fleck	Mollet	Westby
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fraser	Mortenson	Wollitz
Fuglestad	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker
Graham	Olson, Barnes	

**Absent and not voting:**

Fitch                      Olson, Bowman                      Symington  
 Klefstad                      Schimke

So the bill passed and the title was agreed to.

Rep. Saumur requested that the Committee on Delayed Bills be excused. The request was granted.

Rep. Smart requested that the Committee on Counties be excused for twenty minutes. The request was granted.

Rep. Johnson of Richland requested the unanimous consent of the House to amend House Bill No. 218, which request was granted.

Rep. Johnson of Richland moved that House Bill No. 218 be amended as follows:

In the title after "1943" add "as amended by Chapter 14 of the 1944 Special Session Laws."

In line 2 after the figures "1943" add "as amended by Chapter 14 of the 1944 Special Session Laws."

Rep. Johnson of Richland moved that the rules be suspended and House Bill No. 218 as amended be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 61-2142 of the North Dakota Revised Code of 1943, as Amended by Chapter 14 of the 1944 Special 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, 85; nays, 0; absent and not voting, 27.

Those voting in the affirmative were:

Acheson	Haugen	Rohrer
Allen, Grand Forks	Haugland	Sailer
Allen, Pierce	Hegge	Sandness
Anderson	Herk	Schlafmann
Arndt	Hildre	Schmalenberger
Baumgartner	Hofstrand	Schmidt, Logan
Belzer	Hogoboom	Schmidt, Morton
Benno	Hovey	Schnell
Bjella	Isaak	Schwartz
Boucher	Jennings	Sellens
Brady	Johnson, Richland	Seibel
Bubel	Klefstad	Severson
Bureau	Larson	Sharpe
Callahan	Leet	Shockman
Collette	Lillehaugen	Skaar
Dalzell	Lindberg	Stair
Dittmer	Luick	Still
Drovdal	Lysne	Stormon
Ekren	McInnes	Thompson, Griggs
Engel	Moe	Thompson, Rich'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Fitch	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Grenier	Ohnstad	Wollitz
Haag	Olson, Barnes	Yirchott
Halcrow	Pyle	Mr. Speaker
Halvorson		

Absent and not voting:

Bagge	Fuglestad	Olson, Bowman
Blair	Gainor	Ostgulen
Bolmeier	Graham	Saumur
Bymers	Heckman	Schimke
Crockett	Johnson, Cass	Smart
Devlin	Langley	Stanley
Drawz	Levin	Sticka
Fleck	Maher	Symington
Forseth	Mortenson	Welk

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. 218 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 1; absent and not voting, 22.

Those voting in the affirmative were:

Acheson	Haugen	Sailer
Allen, Grand Forks	Haugland	Sandness
Allen, Pierce	Hegge	Schlafmann
Anderson	Herk	Schmalenberger
Arndt	Hildre	Schmidt, Logan
Baumgartner	Hogboom	Schmidt, Morton
Belzer	Hovey	Schnell
Benno	Isaak	Schwartz
Bjella	Johnson, Richland	Seibel
Boucher	Klefstad	Sellens
Brady	Langley	Severson
Bubel	Larson	Sharpe
Bymers	Leet	Shockman
Callahan	Levin	Skaar
Collette	Lillehaugen	Stair
Dalzell	Lindberg	Sticka
Dittmer	Luick	Still
Drovdal	Lysne	Stormon
Ekren	McInnes	Symington
Engel	Moe	Thompson, Griggs
Esterby	Moerke	Thompson, Richland
Falconer	Mollet	Tuff
Fitch	Monson	Wambheim
Fleck	Mork	Westby
Frank	Nystrom	Wolf, McIntosh
Fraser	Ohnstad	Wolf, Morton
Graham	Olson, Barnes	Wollitz
Grenier	Ostgulen	Yirchott
Halcrow	Pyle	Mr. Speaker
Halvorson	Rohrer	

Those voting in the negative were:

Jennings

Absent and not voting:

Bagge	Fuglestad	Mortenson
Blair	Gainor	Olson, Bowman
Bolmeier	Haag	Saumur
Burau	Heckman	Schimke
Crockett	Hofstrand	Smart
Devlin	Johnson, Cass	Stanley
Drawz	Maher	Welk
Forseth		

So the bill passed and the title was agreed to.

Rep. Collette moved that the vote by which House Bill No. 219 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Richland moved that House Bill No. 267 be amended as follows:

In the title after the figures "1943" add "as amended by Chapter 15 of the Special Session Laws of 1944".

On line 2, after the figures "1943" add "as amended by Chapter 15 of the Special Session Laws of 1944."

Which motion prevailed and the amendments to House Bill No. 267 were unanimously adopted.

Rep. Johnson of Richland moved that the rules be suspended and House Bill No. 267 as amended be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943, as Amended by Chapter 15 of the Special Session Laws of 1944, 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, 93; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Acheson	Halvorson	Pyle
Allen, Grand Forks	Haugen	Rohrer
Allen, Pierce	Haugland	Sailer
Anderson	Hegge	Sandness
Arndt	Herk	Saumur
Baumgartner	Hildre	Schlafmann
Belzer	Hofstrand	Schmalenberger
Benno	Hogoboom	Schmidt, Logan
Bjella	Hovey	Schmidt, Morton
Boucher	Isaak	Schnell
Brady	Jennings	Schwartz
Bubel	Johnson, Cass	Seibel
Burau	Johnson, Richland	Sellens
Bymers	Klefstad	Severson
Callahan	Langley	Sharpe
Collette	Larson	Shockman
Dalzell	Leet	Skaar
Dittmer	Lillehaugen	Sticka

Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Engel	Lysne	Symington
Esterby	McInnes	Thompson, Griggs
Falconer	Moe	Thompson, Richl'nd
Fitch	Moerke	Tuff
Fleck	Mollet	Wambheim
Frank	Monson	Westby
Fraser	Mork	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Graham	Ohnstad	Wollitz
Grenier	Olson, Barnes	Yirchott
Halcrow	Ostgulen	Mr. Speaker
Absent and not voting:		
Bagge	Gainor	Olson, Bowman
Blair	Haag	Schimke
Bolmeier	Heckman	Smart
Crockett	Levin	Stair
Devlin	Maher	Stanley
Drawz	Mortenson	Welk
Forseth		

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 268. A Bill for an Act to Amend and Re-enact Section 61-2202 of the North Dakota Revised Code of 1943 Providing for Voting at Township Meeting for Drainage Ditches; and Providing a Method of Payment.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 1; absent and not voting, 24.

Those voting in the affirmative were:

Acheson	Haugen	Rohrer
Allen, Grand Forks	Haugland	Sailer
Allen, Pierce	Hegge	Sandness
Anderson	Herk	Schlafmann
Arndt	Hildre	Schmalenberger
Baumgartner	Hofstrand	Schmidt, Logan
Belzer	Hogoboom	Schmidt, Morton
Benno	Hovey	Schnell
Boucher	Isaak	Schwartz
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Sellens
Burau	Johnson, Richland	Severson
Bymers	Langley	Sharpe
Callahan	Larson	Shockman
Collette	Leet	Skaar
Dalzell	Lysne	Sticka
Dittmer	Lillehaugen	Still
Drovdal	Lindberg	Stormon
Engel	Luick	Symington
Esterby	McInnes	Thompson, Griggs
Falconer	Moerke	Thompson, Richl'nd
Fitch	Mollet	Tuff
Frank	Monson	Wambheim
Fraser	Mork	Westby

Fuglestad	Nystrom	Wolf, McIntosh
Graham	Ohnstad	Wolf, Morton
Grenier	Olson, Barnes	Wollitz
Halcrow	Ostgulen	Yirchott
Halvorson	Pyle	Mr. Speaker

Those voting in the negative were:

Moe

Absent and not voting:

Bagge	Fleck	Mortenson
Bjella	Forseth	Olson, Bowman
Blair	Gainor	Saumur
Bolmeier	Haag	Schimke
Crockett	Heckman	Smart
Devlin	Klefstad	Stair
Drawz	Levin	Stanley
Ekren	Maher	Welk

So the bill passed and the title was agreed to.

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 1; absent and not voting, 24.

Those voting in the affirmative were:

Acheson	Haugen	Rohrer
Allen, Grand Forks	Haugland	Sailer
Allen, Pierce	Hegge	Sandness
Anderson	Herk	Schlafmann
Arndt	Hildre	Schmalenberger
Baumgartner	Hofstrand	Schmidt, Logan
Belzer	Hogoboom	Schmidt, Morton
Bjella	Hovey	Schnell
Boucher	Isaak	Schwartz
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Sellens
Bureau	Johnson, Richland	Severson
Bymers	Langley	Sharpe
Callahan	Larson	Shockman
Collette	Leet	Skaar
Dalzell	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drovdal	Lysne	Stormon
Engel	McInnes	Symington
Esterby	Moe	Thompson, Griggs
Falconer	Moerke	Thompson, Richl'nd
Fitch	Mollet	Tuff
Fleck	Monson	Wambheim
Fraser	Mork	Westby
Fuglestad	Nystrom	Wolf, McIntosh
Graham	Ohnstad	Wolf, Morton
Grenier	Olson, Barnes	Wollitz
Halcrow	Ostgulen	Yirchott
Halvorson	Pyle	Mr. Speaker

Those voting in the negative were:

Frank

Absent and not voting:

Bagge	Forseth	Mortenson
Benno	Gainor	Olson, Bowman
Blair	Haag	Saumur
Bolmeier	Heckman	Schimke
Crockett	Klefstad	Smart
Devlin	Levin	Stair
Drawz	Luick	Stanley
Ekren	Maher	Welk

So the bill passed and the title was agreed to.

Rep. Johnson of Richland moved that the Representatives from the 37th District be appointed to escort Mrs. George Ista, a former member, to the rostrum, which motion prevailed.

The Speaker appointed Reps. Wollitz and Thompson of Richland.

Mrs. Ista was escorted to the rostrum, welcomed by the Speaker, and addressed the House briefly.

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 3; absent and not voting, 23.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Halvorson	Sailer
Anderson	Haugland	Sandness
Arndt	Hegge	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schnell
Blair	Hovey	Shockman
Boucher	Isaak	Schwartz
Brady	Johnson, Cass	Seibel
Burau	Johnson, Richland	Sellens
Bymers	Klefstad	Severson
Callahan	Langley	Skaar
Collette	Larson	Sticka
Dalzell	Leet	Still
Dittmer	Lillehaugen	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	McInnes	Thompson, Richl'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Westby
Fleck	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fraser	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Graham	Ostgulen	



Those voting in the negative were:

Bubel	Haugen	Jennings
Absent and not voting:		
Bagge	Heckman	Schimke
Bolmeier	Levin	Sharpe
Crockett	Lindberg	Smart
Devlin	Maher	Stair
Drawz	Mortenson	Stanley
Forseth	Olson, Barnes	Welk
Gainor	Olson, Bowman	Wollitz
Haag	Saumur	

So the bill passed and the title was agreed to.

Rep. Johnson of Richland moved that the vote by which House Bill No. 144 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Richland moved that House Bill No. 177, now in General Orders, be deferred one legislative day, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 14, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Concurrent Resolution No. 7. A Concurrent Resolution Memorializing Congress of the United States with Reference to Changes in the Social Security Acts.

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services, Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Senate Bill No. 152. A Bill for an Act to Provide for the Disposition of Any Unclaimed Funds in the Custody of Any Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Senate Bill No. 177. A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943, Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed.

Senate Bill No. 201. A Bill for an Act Providing for the Payment of Expenses to Commissioners of the Public Service Commission, and Declaring an Emergency.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 57-1516 of the North Dakota Revised Code of 1943 Providing for a Tax Levy for Building Fund in School Districts and Providing for an Election to Authorize the Levy of Said Tax and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget, and Declaring an Emergency.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 57-1524 and Section 57-1525 of the North Dakota Revised Code of 1943 Providing for a County Tax Levy of Two Mills on All Taxable Property in the County, for a County Tuition Fund and Providing for the Apportionment of Said Fund.

Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations, Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States or any Instrumentality Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Rep. Johnson of Cass moved that House Bill No. 214 be indefinitely postponed, which motion prevailed.

Rep. Langley requested that the Committee on Education be excused. The request was granted.

### SECOND READING OF HOUSE BILLS

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Exempting Hospital Associations Organized for Non-profit from Provisions of Section; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 0; absent and not voting, 27.

Those voting in the affirmative were:

Acheson	Fraser	Ostgulen
Allen, Grand Forks	Fuglestad	Pyle
Allen, Pierce	Graham	Rohrer
Anderson	Grenier	Sailer
Arndt	Halvorson	Schlafmann
Bagge	Haugland	Schmalenberger
Baumgartner	Hegge	Schmidt, Logan
Belzer	Herk	Schmidt, Morton
Benno	Hogoboom	Schnell
Blair	Hovey	Schwartz
Bolmeier	Isaak	Seibel
Boucher	Jennings	Sellens
Brady	Johnson, Cass	Shockman
Bubel	Johnson, Richland	Smart
Bureau	Klefstad	Sticka
Bymers	Larson	Still
Callahan	Leet	Stormon
Collette	Levin	Symington
Crockett	Lindberg	Thompson, Griggs
Dalzell	Luick	Thompson, Richl'd
Devlin	Lysne	Tuff
Dittmer	McInnes	Welk
Drovdal	Mcc	Westby
Ekren	Moerke	Wolf, McIntosh
Engel	Mollet	Wolf, Morton
Esterby	Mortenson	Wollitz
Fitch	Nystrom	Yirehott
Forseth	Olson, Barnes	Mr. Speaker
Frank		

Absent and not voting:

Bjella	Hildre	Sandness
Drawz	Hofstrand	Saumur
Falconer	Langley	Schimke
Fleck	Lillehaugen	Severson
Gainor	Maher	Sharpe
Haag	Monson	Skaar
Halcrow	Mork	Stair
Haugen	Ohnstad	Stanley
Heckman	Olson, Bowman	Wambheim

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Moe moved that the vote by which House Bill No. 160 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Cass moved that House Bill No. 8 be made a special order of business at eight o'clock tonight, which motion prevailed.

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 26.

Those voting in the affirmative were:

Acheson	Fuglestad	Rohrer
Allen, Grand Forks	Graham	Sailer
Allen, Pierce	Grenier	Saumur
Anderson	Halvorson	Schlafmann
Arndt	Haugland	Schmalenberger
Bagge	Hegge	Schmidt, Logan
Baumgartner	Herk	Schmidt, Morton
Belzer	Hogboom	Schnell
Benno	Hovey	Schwartz
Bjella	Isaak	Seibel
Blair	Jennings	Sellens
Bolmeier	Johnson, Cass	Severson
Boucher	Johnson, Richland	Shockman
Brady	Klefstad	Smart
Bubel	Larson	Sticka
Bymers	Leet	Still
Callahan	Levin	Stormon
Collette	Lindberg	Symington
Dalzell	Luick	Thompson, Griggs
Devlin	Lysne	Thompson, Rich'nd
Dittmer	McInnes	Tuff
Drovdal	Moe	Welk
Engel	Moerke	Westby
Esterby	Mollet	Wolf, McIntosh
Fitch	Mortenson	Wolf, Morton
Fleck	Nystrom	Wollitz
Forseth	Olson, Barnes	Yirchott
Frank	Ostgulen	Mr. Speaker
Fraser	Pyle	

Absent and not voting:

Burau	Heckman	Olson, Bowman
Crockett	Hildre	Sandness
Drawz	Hofstrand	Schimke
Ekren	Langley	Sharpe
Falconer	Lillehaugen	Skaar

Gainor	Maher	Stair
Haag	Monson	Stanley
Halcrow	Mork	Wambheim
Haugen	Ohnstad	

So the bill passed as amended and the title was agreed to.

#### FIRST READING OF HOUSE BILLS

The Committee on Delayed Bills introduced:

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

Was read the first time and referred to the Committee on State Affairs.

Reps. Johnson of Cass, Bubel and Stanley (approved by the Committee on Delayed Bills) introduced:

House Bill No. 282. A Bill for an Act Making an Appropriation in the Sum of Eleven Thousand Dollars (\$11,000.00), or So Much Thereof as May Be Necessary, to the Board of Administration for the Purchase of Furniture for Legislative Committee Rooms in the State Capitol Building.

Was read the first time and referred to the Committee on Appropriations.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 57-1516 of the North Dakota Revised Code of 1943 Providing for a Tax Levy for Building Fund in School Districts and Providing for an Election to Authorize the Levy of Said Tax, and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget, and Declaring an Emergency.

Was read the first time and referred to the Committee on Education.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 57-1524 and Section 57-1525 of the North Dakota Revised Code of 1943 Providing for a County Tax Levy of Two Mills on All Taxable Property in the County, for a County Tuition Fund and Providing for the Apportionment of Said Fund.

Was read the first time and referred to the Committee on Education.

Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations, Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States or any Instrumentality Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Was read the first time and referred to the Committee on Banks and Banking.

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment

by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

Senate Bill No. 201. A Bill for an Act Providing for the Payment of Expenses to Commissioners of the Public Service Commission, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943, Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 177. A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 152. A Bill for an Act to Provide for the Disposition of Any Unclaimed Funds in the Custody of Any Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Was read the first time and referred to the Committee on Insurance.

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Was read the first time and referred to the Committee on Public Health.

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Was read the first time and referred to the Committee on Public Health.

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services, Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Was read the first time and referred to the Committee on State Affairs.

Senate Concurrent Resolution No. 7. A Concurrent Resolution Memorializing Congress of the United States with Reference to Changes in the Social Security Acts.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the first time and referred to the Committee on Appropriations.

Rep. Johnson of Cass moved that the House recess until 7:00 o'clock this evening, which motion prevailed.

The House reconvened at 7:00 o'clock pursuant to recess taken, Speaker Bergesen presiding.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 1.

And find the same correctly Engrossed.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 27.

And find the same correctly Re-engrossed.

REP. LEET, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Insurance to whom

was referred House Bill No. 176, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Grand Forks, 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 House Bill No. 159, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Grand Forks, Chairman.

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 0; absent and not voting, 29.

Those voting in the affirmative were:

Acheson	Halvorson	Sandness
Allen, Grand Forks	Heckman	Saumur
Allen, Pierce	Hildre	Schlafmann
Bagge	Hofstrand	Schmalenberger
Baumgartner	Hogoboom	Schmidt, Morton
Belzer	Isaak	Schwartz
Benno	Jennings	Seibel
Bjella	Johnson, Cass	Sellens
Blair	Johnson, Richland	Severson
Boucher	Klefstad	Sharpe
Bubel	Langley	Skaar
Bureau	Leet	Smart
Collette	Levin	Stanley
Dalzell	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Moe	Thompson, Rich'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Forseth	Monson	Welk
Frank	Mortenson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gainor	Ohnstad	Wollitz
Graham	Ostgulen	Yirchott
Grenier	Rohrer	Mr. Speaker
Halcrow	Sailer	

Absent and not voting:

Anderson .	Fraser	Olson, Barnes
Arndt	Haag	Olson, Bowman



Bolmeier	Haugen	Pyle
Brady	Haugland	Schimke
Bymers	Hegge	Schmidt, Logan
Callahan	Herk	Schnell
Crockett	Hovey	Shockman
Devlin	Larson	Stair
Fitch	Maher	Westby
Fleck	Mork	

So the bill passed as amended and the title was agreed to.

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 26.

Those voting in the affirmative were:

Acheson	Halcrow	Sandness
Allen, Grand Forks	Halvorson	Saumur
Allen, Pierce	Heckman	Schlafmann
Bagge	Hildre	Schmalenberger
Baumgartner	Hofstrand	Schmidt, Morton
Belzer	Hogoboom	Schwartz
Benno	Isaak	Seibel
Bjella	Jennings	Sellens
Blair	Johnson, Cass	Severson
Boucher	Johnson, Richland	Sharpe
Bubel	Klefstad	Skaar
Burau	Langley	Smart
Collette	Leet	Stanley
Dalzell	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Rich'nd
Engel	McInnes	Thompson, Griggs
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Forseth	Monson	Westby
Frank	Mortenson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gainor	Ohnstad	Wollitz
Graham	Ostgulen	Yirchott
Grenier	Rohrer	Mr. Speaker
Haag	Sailer	

Absent and not voting:

Anderson	Fraser	Olson, Barnes
Arndt	Haugen	Olson, Bowman
Bolmeier	Haugland	Pyle

Brady	Hegge	Schimke
Bymers	Herk	Schmidt, Logan
Callahan	Hovey	Schnell
Crockett	Larson	Shockman
Devlin	Maher	Stair
Fleck	Mork	

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

House Concurrent Resolution "P." Authorizing Imprinting the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 89; nays, 1; absent and not voting, 22.

Those voting in the affirmative were:

Acheson	Haag	Sailer
Allen, Grand Forks	Halcrow	Sandness
Allen, Pierce	Halvorson	Saumur
Anderson	Haugen	Schlafmann
Bagge	Heckman	Schmalenberger
Baumgartner	Hildre	Schmidt, Morton
Belzer	Hofstrand	Schwartz
Benno	Hogoboom	Seibel
Bjella	Isaak	Sellens
Blair	Jennings	Severson
Boucher	Johnson, Cass	Sharpe
Bubel	Johnson, Richland	Shockman
Bureau	Klefstad	Skaar
Collette	Langley	Smart
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	McInnes	Thompson, Rich'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Forseth	Monson	Westby
Frank	Mortenson	Wolf, McIntosh
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Graham	Ostgulen	Mr. Speaker
Grenier	Rohrer	

Those voting in the negative were:  
Wolf, Morton

Absent and not voting:

Arndt	Haugland	Olson, Barnes
Bolmeier	Hegge	Olson, Bowman
Brady	Herk	Pyle
Bymers	Hovey	Schimke
Callahan	Larson	Schmidt, Logan

Crockett	Maher	Schnell
Fleck	Mork	Stair
Fraser		

So the resolution passed and the title was agreed to.

Rep. Johnson of Cass moved that House Concurrent Resolution "H" be deferred one legislative day, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Halcrow	Sailer
Allen, Grand Forks	Halvorson	Sandness
Allen, Pierce	Haugen	Saumur
Anderson	Heckman	Schlafmann
Bagge	Hegge	Schmalenberger
Baumgartner	Hildre	Schmidt, Logan
Belzer	Hofstrand	Schmidt, Morton
Benno	Hogoboom	Schnell
Bjella	Isaak	Schwartz
Blair	Jennings	Seibel
Boucher	Johnson, Cass	Sellens
Brady	Johnson, Richland	Severson
Bubel	Klefstad	Sharpe
Bureau	Langley	Shockman
Bymers	Leet	Skaar
Collette	Levin	Smart
Dalzell	Lillehaugen	Stanley
Devlin	Lindberg	Sticka
Dittmer	Luick	Still
Drawz	Lysne	Stormon
Drovdal	McInnes	Symington
Ekren	Maher	Thompson, Griggs
Engel	Moe	Thompson, Richl'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Forseth	Monson	Welk
Frank	Mortenson	Westby
Fraser	Nystrom	Wolf, McIntosh
Fuglestad	Ohnstad	Wolf, Morton
Gainor	Ostgulen	Wollitz
Graham	Pyle	Yirchott
Grenier	Rohrer	Mr. Speaker
Haag		

Absent and not voting:

Arndt	Fleck	Mork
Bolmeier	Haugland	Olson, Barnes
Callahan	Herk	Olson, Bowman

Crockett	Hovey	Schimke
Fitch	Larson	Stair

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Acheson	Halcrow	Sailer
Allen, Grand Forks	Halvorson	Sandness
Allen, Pierce	Haugen	Saumur
Anderson	Heckman	Schlafmann
Bagge	Hegge	Schmalenberger
Baumgartner	Hildre	Schmidt, Logan
Belzer	Hofstrand	Schmidt, Morton
Benno	Hogoboom	Schnell
Bjella	Isaak	Schwartz
Blair	Jennings	Seibel
Boucher	Johnson, Cass	Sellens
Brady	Johnson, Richland	Severson
Bubel	Klefstad	Sharpe
Bureau	Langley	Shockman
Bymers	Leet	Skaar
Collette	Levin	Smart
Dalzell	Lillehaugen	Stanley
Devlin	Lindberg	Sticka
Dittmer	Luick	Still
Drawz	Lysne	Stormon
Drovdal	McInnes	Symington
Ekren	Maher	Thompson, Griggs
Engel	Moe	Thompson, Rich'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Forseth	Monson	Welk
Frank	Mork	Westby
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gainor	Ohnstad	Wollitz
Graham	Ostgulen	Yirchott
Grenier	Pyle	Mr. Speaker
Haag	Rohrer	

Absent and not voting:

Arndt	Fleck	Olson, Barnes
Bolmeier	Haugland	Olson, Bowman
Callahan	Herk	Schimke
Crockett	Hovey	Stair
Fitch	Larson	

So the bill passed and the title was agreed to.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence

Cannot Be Determined and Whose Care Must Be Borne by the State.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Acheson	Halcrow	Pyle
Allen, Grand Forks	Halvorson	Rohrer
Allen, Pierce	Haugen	Sailer
Anderson	Heckman	Sandness
Bagge	Hegge	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schnell
Blair	Isaak	Schwartz
Boucher	Jennings	Seibel
Brady	Johnson, Cass	Sellens
Bubel	Johnson, Richland	Severson
Burau	Klefstad	Sharpe
Bymers	Langley	Shockman
Collette	Leet	Skaar
Dalzell	Levin	Smart
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Luick	Still
Drovdal	Lysne	Stormon
Ekren	McInnes	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Rich'nd
Falconer	Moerke	Tuff
Forseth	Mollet	Wambheim
Frank	Monson	Welk
Fraser	Mork	Westby
Fuglestad	Mortenson	Wolf, McIntosh
Gainor	Nystrom	Wolf, Morton
Graham	Ohnstad	Wollitz
Grenier	Olson, Barnes	Yirchott
Haag	Ostgulen	Mr. Speaker
Absent and not voting:		
Arndt	Fleck	Olson, Bowman
Bolmeier	Haugland	Saumur
Callahan	Hovey	Schimke
Crockett	Larson	Stair
Fitch		

So the bill passed and the title was agreed to.

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugen	Saumur
Arndt	Heckman	Schlafmann
Bagge	Hegge	Schmalenberger
Baumgartner	Herk	Schmidt, Logan
Belzer	Hildre	Schmidt, Morton
Benno	Hofstrand	Schnell
Bjella	Hogoboom	Schwartz
Blair	Isaak	Seibel
Bolmeter	Jennings	Sellens
Boucher	Johnson, Cass	Severson
Brady	Johnson, Richland	Sharpe
Bubel	Klefstad	Shockman
Bureau	Langley	Skaar
Bymers	Leet	Smart
Collette	Levin	Stair
Dalzell	Lillehaugen	Stanley
Devlin	Lindberg	Sticka
Dittmer	Luick	Still
Drawz	Lysne	Stormon
Drovdal	McInnes	Symington
Ekren	Maher	Thompson, Griggs
Engel	Moe	Thompson, Richl'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Fleck	Monson	Welk
Forseth	Mork	Westby
Frank	Mortenson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Fuglestad	Ohnstad	Wollitz
Gainor	Olson, Barnes	Yirchott
Graham	Ostgulen	Mr. Speaker
Grenier	Pyle	

Absent and not voting:

Callahan	Haugland	Olson, Bowman
Crockett	Hovey	Schimke
Fitch	Larson	

So the bill passed and the title was agreed to.

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

Was read the 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:

Acheson	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sailer
Arndt	Haugen	Sandness
Bagge	Heckman	Saumur
Baumgartner	Hegge	Schlafmann
Belzer	Herk	Schmalenberger

Benno	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Isaak	Schwartz
Boucher	Jennings	Seibel
Bubel	Johnson, Cass	Sellens
Burau	Johnson, Richland	Severson
Bymers	Klefstad	Sharpe
Collette	Langley	Shockman
Crockett	Leet	Skaar
Dalzell	Levin	Smart
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Luick	Still
Drovdal	Lysne	Stormon
Ekren	McInnes	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Rich'nd
Falconer	Moerke	Tuff
Fitch	Mollet	Wambheim
Fleck	Monson	Welk
Forseth	Mork	Westby
Frank	Mortenson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Fuglestad	Ohnstad	Wollitz
Gainor	Olson, Barnes	Yirchott
Graham	Ostgulen	Mr. Speaker
Grenier		

Those voting in the negative were:  
Allen, Grand Forks Brady

Absent and not voting:

Callahan	Larson	Schimke
Haugland	Olson, Bowman	Stair
Hovey		

So the bill passed as amended and the title was agreed to.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sailer
Arndt	Haugen	Sandness
Bagge	Heckman	Saumur
Baumgartner	Hegge	Schlafmann
Belzer	Herk	Schmalenberger
Benno	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Isaak	Schwartz
Boucher	Jennings	Seibel
Brady	Johnson, Cass	Sellens

Bubel	Johnson, Richland	Severson
Bureau	Klefstad	Sharpe
Bymers	Langley	Shockman
Collette	Leet	Skaar
Crockett	Levin	Smart
Dalzell	Lillehaugen	Stanley
Devlin	Lindberg	Sticka
Dittmer	Luick	Still
Drawz	Lysne	Stormon
Drovdal	McInnes	Symington
Ekren	Maher	Thompson, Griggs
Engel	Moe	Thompson, Richl'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Fitch	Monson	Welk
Fleck	Mork	Westby
Forseth	Mortenson	Wolf, McIntosh
Frank	Nystrom	Wolf, Morton
Fraser	Ohnstad	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Graham		
Absent and not voting:		
Callahan	Hovey	Schimke
Gainor	Larson	Stair
Haugland	Olson, Bowman	Wollitz

So the bill passed as amended and the title was agreed to. Senate Bill No. 107. A Bill for an Act Providing for the Retirement of Employees of State Charitable or Penal Institutions, Fixing the Retirement Pay and Providing for Biennial Budget.

Rep. Mollet moved that further consideration of Senate Bill No. 107 be laid on the table.

On a voice vote the chair was in doubt.

A roll call was demanded.

#### ROLL CALL

The question being on the motion of Rep. Mollet, the roll was called and there were ayes, 78; nays, 30; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Schimke
Allen, Pierce	Halvorson	Schlafmann
Arndt	Haugen	Schmalenberger
Baumgartner	Hegge	Schmidt, Logan
Belzer	Herk	Schmidt, Morton
Bonno	Hildre	Schnell
Bolmeier	Hofstrand	Schwartz
Boucher	Hogoboom	Seibel
Bubel	Isaak	Severson
Bureau	Jennings	Shockman
Callahan	Johnson, Cass	Skaar
Crockett	Klefstad	Stanley
Dalzell	Larson	Sticka
Devlin	Leet	Still
Dittmer	Levin	Stormon
Drawz	Lillehaugen	Symington
Ekren	Lindberg	Thompson, Griggs
Engel	Luick	Thompson, Richl'nd
Fleck	Lysne	Tuff
Frank	Moe	Wambheim



Fraser	Moerke	Welk
Fuglestad	Mollet	Wolf, McIntosh
Gainor	Monson	Wolf, Morton
Graham	Mork	Wollitz
Grenier	Ostgulen	Yirchott
Those voting in the negative were:		
Anderson	Fitch	Olson, Barnes
Bagge	Forseth	Pyle
Bjella	Heckman	Sailer
Blair	Johnson, Richland	Sandness
Brady	Langley	Saumur
Bymers	McInnes	Sellens
Collette	Maher	Sharpe
Drovdal	Mortenson	Smart
Esterby	Nystrom	Westby
Falconer	Ohnstad	Mr. Speaker
Absent and not voting:		
Haugland	Olson, Bowman	Stair
Hovey		

So the motion prevailed and Senate Bill No. 107 was indefinitely postponed.

Speaker Bergesen: I wish to explain my vote. These people working for these wages when they reach the age of 65 are going to have to be maintained by the dole or old age assistance. I believe in putting them upon the self-respecting basis that it is the only fair thing for us to do. I, therefore, vote "No."

Rep. Bolmeier: I change my vote from "Nay" to "Aye" for the purpose of reconsideration.

Rep. Leet moved to amend House Bill No. 8 as follows: In line 5 after the words "for in" strike out "Chapter 257, Session" and in line 6 strike out "Laws of 1935" and insert in lieu thereof "Chapter 15-19 of the North Dakota Revised Code of 1943," which motion prevailed and the amendments to House Bill No. 8 were unanimously adopted.

Rep. Bubel moved that the rules be suspended and House Bill No. 8, as amended, be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 8. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 72; nays, 35; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Graham	Mork
Allen, Pierce	Grenier	Mortenson
Anderson	Haag	Nystrom
Arndt	Halcrow	Ohnstad
Baumgartner	Halvorson	Ostgulen
Belzer	Haugland	Rohrer
Benno	Haugen	Schimke
Boucher	Heckman	Schlafmann

Bubel	Hegge	Schmalenberger
Burau	Hofstrand	Schmidt, Logan
Bymers	Hogoboom	Schmidt, Morton
Crockett	Isaak	Schnell
Devlin	Jennings	Schwartz
Dittmer	Klefstad	Seibel
Drovdal	Langley	Shockman
Ekren	Larson	Smart
Engel	Levin	Sticka
Esterby	Lillehaugen	Still
Falconer	Lindberg	Thompson, Richl'nd
Forseth	Maher	Tuff
Frank	Moe	Welk
Fraser	Moerke	Wolf, McIntosh
Fuglestad	Mollet	Wolf, Morton
Gainor	Monson	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks	Hildre	Severson
Bagge	Johnson, Cass	Sharpe
Blair	Leet	Skaar
Bolmeier	Luick	Stanley
Brady	Lysne	Stormon
Callahan	McInnes	Symington
Collette	Olson, Barnes	Thompson, Griggs
Dalzell	Pyle	Wambheim
Drawz	Sailer	Westby
Fitch	Sandness	Wollitz
Fleck	Saumur	Yirchott
Herk	Sellens	

Absent and not voting:

Bjella	Johnson, Richland	Stair
Hovey	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

Rep. Lillehaugen 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.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 63. A Bill for an Act to Amend and Re-enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Graham	Ostgulen
Allen, Grand Forks	Grenier	Pyle
Allen, Pierce	Haag	Rohrer
Anderson	Halcrow	Sailer
Arndt	Halvorson	Sandness
Bagge	Haugen	Saumur
Baumgartner	Haugland	Schlafmann
Belzer	Heckman	Schmalenberger

Benno	Hegge	Schmidt, Logan
Bjella	Herk	Schmidt, Morton
Blair	Hildre	Schnell
Bolmeier	Hofstrand	Schwartz
Boucher	Hogoboom	Seibel
Brady	Isaak	Sellens
Bubel	Jennings	Severson
Bureau	Johnson, Cass	Sharpe
Bymers	Klefstad	Shockman
Callahan	Langley	Skaar
Collette	Larson	Smart
Crockett	Leet	Stanley
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Ekren	McInnes	Thompson, Rich'nd
Engel	Maher	Tuff
Esterby	Moe	Wambheim
Falconer	Moerke	Welk
Fleck	Mollet	Westby
Fitch	Monson	Wolf, McIntosh
Forseth	Mork	Wolf, Morton
Frank	Mortenson	Wollitz
Fraser	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor		

Absent and not voting:

Hovey	Olson, Barnes	Schimke
Johnson, Richland	Olson, Bowman	Stair

So the bill passed and the title was agreed to.

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 108; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Graham	Ostgulen
Allen, Grand Forks	Grenier	Pyle
Allen, Pierce	Haag	Rohrer
Anderson	Halcrow	Sailer
Arndt	Halvorson	Sandness
Bagge	Haugen	Saumur
Baumgartner	Haugland	Schimke
Belzer	Heckman	Schlafmann
Benno	Hegge	Schmalenberger
Bjella	Herk	Schmidt, Logan
Blair	Hildre	Schmidt, Morton
Bolmeier	Hofstrand	Schnell
Boucher	Hogoboom	Schwartz
Brady	Isaak	Seibel
Bubel	Jennings	Sellens

Burau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Kiefstad	Shockman
Collette	Langley	Skaar
Crockett	Larson	Smart
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	Maher	Thompson, Griggs
Engel	McInnes	Thompson, Richl'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Absent and not voting:		
Hovey	Olson, Bowman	Stair
Lillehaugen		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 5.

ROLL CALL

Those voting in the affirmative were:

Acheson	Graham	Pyle
Allen, Grand Forks	Grenier	Rohrer
Allen, Pierce	Haag	Sailer
Anderson	Halcrow	Sandness
Arndt	Halvorson	Saumur
Bagge	Haugen	Schimke
Baumgartner	Haugland	Schlafmann
Belzer	Heckman	Schmalenberger
Benno	Hegge	Schmidt, Logan
Bjella	Herk	Schmidt, Morton
Blair	Hildre	Schnell
Bolmeier	Hofstrand	Schwartz
Boucher	Hogoboom	Seibel
Brady	Isaak	Sellens
Bubel	Jennings	Severson
Burau	Johnson, Cass	Sharpe
Bymers	Johnson, Richland	Shockman
Callahan	Kiefstad	Skaar
Collette	Langley	Smart
Crockett	Larson	Stanley
Dalzell	Leet	Sticka
Devlin	Levin	Still

Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Ekren	McInnes	Thompson, Rich'nd
Engel	Moe	Tuff
Esterby	Moerke	Wambheim
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Mork	Wolf, McIntosh
Forseth	Mortenson	Wolf, Morton
Frank	Nystrom	Wollitz
Fraser	Ohnstad	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Gainor	Ostgulen	

Absent and not voting:

Hovey	Maher	Stair
Lillehaugen	Olson, Bowman	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Wolf of McIntosh moved that action on Senate Bill No. 133 be deferred one legislative day, which motion prevailed.

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Isaak	Seibel
Brady	Jennings	Sellens
Bubel	Johnson, Cass	Severson
Bureau	Johnson, Richland	Sharpe
Bymers	Klefstad	Shockman
Callahan	Langley	Skaar
Collette	Larson	Smart
Crockett	Leet	Stanley
Dalzell	Levin	Sticka
Devlin	Lindberg	Still
Dittmer	Luick	Stormon
Drawz	Lysne	Symington
Ekren	McInnes	Thompson, Griggs

Engel	Maher	Thompson, Rich'd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Graham	Ostgulen	

Absent and not voting:

Drovdal	Lillehaugen	Stair
Hovey	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

Rep. Schnell: We have the honor here this evening of having a gentleman with us who has served with us in five successive sessions and two special sessions. The gentleman is from the 33rd legislative district. I would like to have the Speaker appoint a committee of two to escort Mr. George Aljets to the rostrum. We have something in common. We both are defeated candidates for Speaker. Mr. Aljets was twice chairman of the State Affairs committee.

The Speaker appointed Reps. Larson and Schimke, members from the 33rd district, and also Rep. Schnell to escort Mr. Aljets to the rostrum.

Mr. Aljets was escorted to the rostrum.

Rep. Bergesen: It is a real pleasure to welcome you to the rostrum. I saw you in session here in 1931 and 1933 and the other sessions you were in action. As a former member and "almost a Speaker" will you take the gavel and seat the House.

Mr. Aljets: Gentlemen, Friends, Members of the Legislature: I am not going to take up much of your time. It is indeed a pleasure to spend a day or two and I don't think I've missed a session since I served here and I always enjoy coming back and visiting with my old friends. Sometimes when you folks are criticized out in the country by people who do not know what they are talking about, I get quite a kick out of it. People who are not familiar with legislative problems don't know the point of it and can't see through the thick of it. I do not have very much to say but I think you are doing a pretty good job. You aren't doing very much fighting factionally and I think that it is a very healthy condition for the State of North Dakota. I am satisfied in my own mind that you are all working for the good of our state.

I was a member of the Nonpartisan League. Sometimes the boys would call in members of the IVA and sometimes when an IVA measure would come up I might vote for it but as you know in those days you went down the line pretty much on one side or the other. It comes to my mind very clearly that I served here for the third session before I got my name on a bill and that was by request. I never will forget that measure. A school measure that was handed to me and my old friend—it makes me pause to think of it—was sitting one seat behind me—and we had many fights, but I

never fought with a man I loved like that old man—gone, but never to be forgotten. It is hard for me to talk about him. We had many battles. He sat close to me and he was of the opposite faction. The day that Bill was put in he said, "George, there is at last one coming in with your name on it." And I said, "But that is by request." He went up to the desk and had Mrs. Craig, the chief clerk, strike out the words "by request."

You will find that Late Twichell's name and mine were on the same bill many times, a good many bills that are still laws and have not been repealed.

I learned a lesson I wouldn't take anything for and I tell the young people in my community that it was one of the best lessons in my life.

You come here and generally think that what you know is all there is to know but when you get here among other people you find differences of opinion and learn a lesson of tolerance that is an outstanding lesson that you cannot get any place else better than in either the House or the Senate.

My first session was 1926 and my last 1935 and I served in two special sessions. I got more education out of being here in those ten years than I had out of any schooling. I have made many friends that I think a lot of and in both political factions. That has never made any difference to me.

I don't want to take your time but it is quite an honor for me to be presented here and I appreciate very much the time you have given me. Go on with your work, you have a lot to do. I thank you very kindly.

Speaker Bergesen (addressing Miss Haugland): You came to this House in the year 1939, the same year that many of us who are here now, came. You have served through five different sessions including the special session of last March. During four of these sessions you have been the only lady member of the House and I know we have wondered often, we men, just how it could be that you could get along with so many ornery fellows. But you have stuck it out patiently, good-naturedly working along with us. We have learned to respect you and to admire you. We admire you for your conscientious devotion to duty, for your sincerity of purpose, for your desire and your efforts along the line of doing what you feel is for the best interests of the people of North Dakota. As chairman of the Public Welfare Committee for several sessions as well as a member of the House, you have made a real contribution to the legislature of the State of North Dakota. There are people who really appreciate that and I have the pleasure and the honor of presenting to you on behalf of the citizens of Ward County, sent to you by the Chamber of Commerce of the city of Minot, this beautiful bouquet and also on behalf of the employees of the House this additional bouquet. I am going to ask the members of the House to stand and give Miss Haugland a good round of applause as our appreciation.

Miss Haugland: Mr. Speaker, Members of the House and employees of the House: As I listened to Mr. Bergesen present these beautiful flowers, my only wish is that I might be worthy of the fine things that he has said. I have enjoyed working with each and every one of you—it has been a privilege and a pleasure to serve with so fine a group as we

have here and I am happy and pleased to represent the people of Ward County and I appreciate their thoughtfulness. I hope the harmony that has prevailed in this session will continue and that the legislation that we will enact in the closing days of this session will be for the best interests of all of the people of our State. I wish to thank you all for this lovely gift of flowers.

Rep. Fitch moved that the remarks of former Rep. George Aljets and the presentation remarks of our Speaker and those of Miss Haugland be printed in the Journal, which motion prevailed.

Rep. Graham moved that the General Orders be made a special order of business for one o'clock tomorrow, which motion prevailed.

Rep. Bolmeier moved that the House recess until 12:30 o'clock p. m., tomorrow, which motion prevailed.

**KENNETH L. MORGAN, Chief Clerk.**



FORTY-FOURTH DAY AFTER RECESS  
AND FORTY-FIFTH DAY

Bismarck, February 15, 1945

The House reconvened at 12:30 o'clock p. m., pursuant to recess taken, Speaker Bergesen presiding.

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 194.  
House Bill No. 207.  
House Bill No. 211.  
House Bill No. 218.  
House Bill No. 267.

And find the same correctly Engrossed.

REP. LEET, 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 bill:

House Bill No. 8.

And find the same correctly Re-engrossed.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 52.  
House Bill No. 57.  
House Bill No. 72.  
House Bill No. 102.

And find the same correctly Enrolled.

REP. LEET, 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 Public Health to whom was referred House Bill No. 90, have had the same under

consideration and recommend that the same be indefinitely postponed.

REP. NYSTROM, Chairman.

Rep. Benno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 271, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Haugen 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. 52.

House Bill No. 57.

House Bill No. 102.

House Bill No. 72.

And the Speaker signed the same in the presence of the House.

Rep. Fitch moved that House Bill No. 177 be re-referred to the Committee on Ways and Means, which motion prevailed.

Rep. Schimke moved that House Bill No. 73 be withdrawn, which motion prevailed.

Rep. Fitch moved that House Bill No. 175 be withdrawn, which motion prevailed.

Rep. Bagge moved that House Bill No. 245 be withdrawn, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Rep. Fleck (by request) introduced:

House Concurrent Resolution W. Requesting Adjustment of Values to Include Pay for Character Building Work of Home Women.

Was read the first time.

Rep. Fitch moved that House Concurrent Resolution "W" be indefinitely postponed, which motion prevailed.

#### GENERAL ORDERS

Rep. McInnes moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. McInnes to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 196.

And recommend the same do pass.

House Bill No. 132.

And recommend that the same be re-referred to the committee for the purpose of amendments.

House Bill No. 131.

And recommend that the same be indefinitely postponed.

House Bill No. 29.

Line 4—Strike out the figures "\$4,073,705.00" and insert in lieu thereof the figures "\$3,400,000.00".

Line 7—After the words "provided by" strike out the words and figures "Chapter 211 of the Session Laws of 1937." and insert in lieu thereof the words and figures "Sections 50-0701 to 50-0740, both inclusive, of North Dakota Revised Code of 1943." and further amend by renumbering the lines.

Line 8—Strike out the figures "\$4,073,705.00" and insert in lieu thereof the figures "\$3,400,000.00".

Line 20—Strike out the word "Mtce." and insert in lieu thereof the word "Maintenance" and strike out the word "Equip." and insert in lieu thereof the word "Equipment".

And recommend the same do pass as amended by the Standing Committee and further amended by the Committee of the Whole.

House Bill No. 147.

Strike out everything after A BILL and insert the following:

For an Act Requiring All Persons Purchasing Alcoholic Beverages at Retail in This State to Procure a Permit and Forbidding Sale by Retailers to One Without a Permit; Fixing the Charge for Same and Providing Penalty for Non-compliance.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. From and after the passage of this  
2 Act it shall be unlawful for any person to purchase  
3 at retail in the State of North Dakota alcoholic  
4 beverages, without first having procured a permit  
5 authorizing such purchase as is hereafter in this  
6 Act set forth. Such permits shall be issued for  
7 periods of thirty (30) days, six (6) months and one  
8 (1) year, and the fees therefor shall be twenty-five  
9 (25) cents for thirty (30) days, fifty (50) cents  
10 for six (6) months and One dollar (\$1.00) for one  
11 (1) year.

12 Such permit shall be on a form prepared by the  
13 Attorney General and may be issued by the City Audi-  
14 tors of Cities, the Clerks of the Board of Trustees  
15 of Villages, County Auditors, or by the State Audi-  
16 tor, and the fees collected and charged for such  
17 permits shall be paid to the State Treasurer and by  
18 him conveyed into the General Fund of the State.

19 SECTION 2. No permits shall be issued to any  
20 person under twenty-one (21) years of age.

21 SECTION 3. It shall be unlawful for any re-  
22 tail liquor dealer to sell any alcoholic beverages,  
23 to any person not having the permit hereinbefore  
24 provided for.

25 SECTION 4. Any person violating the provi-  
26 sions of this Act is guilty of a misdemeanor and  
27 upon conviction shall be punished according to the

28 provisions of Section 5-0120 of the North Dakota  
29 Revised Code of 1943.

And when so amended recommend the same do pass.

House Concurrent Resolution "M."

In line 4 strike out the word "droughth" and insert the word "drought". In line 18 strike out the word "haveing" and insert the word "having". In line 39 strike out the word "member" and insert the word "members".

And when so amended recommend the same do pass.

Senate Bill No. 41.

In line 3 of the title following the word "by" insert the words "Organized Townships,".

In line 1 of the Bill before the word "Villages" insert the words "organized townships,".

In line 4 after the word "the" insert the words "organized townships,".

In line 8 after the word "such" insert the words "organized townships,".

And renumber the lines.

And when so amended recommend the same do pass.

Senate Bill No. 88.

Which was deferred one legislative day.

REP. McINNES, Chairman,  
Committee of the Whole.

Rep. Falconer moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

Rep. Hovey moved that the absent members be excused, which motion prevailed.

Rep. Lillehaugen moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

#### FORTY-FOURTH DAY

Bismarck, February 15, 1945

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. G. W. Stewart.

Roll call: All members present except Rep. Olson of Bowman.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 15, 1945

Mr. President: I have the honor to return:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 15, 1945

Mr. President: I have the honor to return:

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

Senate Bill No. 63. A Bill for an Act to Amend and Re-enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 15, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "P." Authorizing Imprinting the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 15, 1945

Mr. President: I have the honor to transmit:

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 61-2142 of the North Dakota Revised Code of 1943, as Amended by Chapter 14 of the 1944 Special Session Laws, Relating to Repairs of Existing Drains and Declaring an Emergency.

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943, as Amended by Chapter 15 of the Special Session Laws of 1944, Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

House Bill No. 268. A Bill for an Act to Amend and Re-enact Section 61-2202 of the North Dakota Revised Code of 1943 Providing for Voting at Township Meeting for Drainage Ditches; and Providing a Method of Payment.

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 15, 1945

Mr. President: I have the honor to transmit:

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the

Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status; Issued by the Secretaries of War and Navy and Other Federal Officers and Employees, and Declaring an Emergency.

House Bill No. 126. A Bill for an Act Authorizing and Requiring the Board of Administration to Fix and Collect Rental for All Office Space in the Capitol, Used and Occupied by Federal Agencies, and to Require Removal from the Capitol of All of Such Agencies as Fail or Refuse to Pay Rental for the Space Occupied; and Declaring an Emergency.

House Bill No. 136. A Bill for an Act to Repeal Subsection 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

House Bill No. 152. A Bill for an Act Amending and Re-enacting Section 40-0706 of the North Dakota Revised Code of 1943 Relating to Compensation of Village Trustees, and Declaring an Emergency.

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Exempting Hospital Associations Organized for Non-profit from Provisions of Section; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 15, 1945

Mr. President: I have the honor to transmit:

House Bill No. 52. A Bill for an Act Amending and Re-enacting Section 28-3208 of the North Dakota Revised Code of 1943, Relating to Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 27-0602 of the North Dakota Revised Code of 1943 Providing for the Salary and Expenses of Court Reporters.

House Bill No. 72. A Bill for an Act to Amend and Re-enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Pre-payments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands.

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-third Day After Recess and the Forty-fourth Day and recommends that the same be corrected as follows:

On page 529 insert the title to Senate Bill No. 107 between lines 27 and 28.

On page 529 on line 33 between the word "Code" and the comma insert "of 1943".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Richland moved that we recess for twenty minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 15, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 38.

W. J. TROUT, Secretary.



Senate Chamber  
Bismarck, February 15, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 15, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Compliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Section 57-1605 of the North Dakota Revised Code of 1943, Relating to the Vote Necessary for the Approval of Excess Levies in School Districts; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: The majority of your Committee on Judiciary to whom was referred House Bill No. 239, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. NYSTROM  
REP. SYMINGTON  
REP. LEET  
REP. ALLEN of Pierce  
REP. WAMBHEIM  
REP. BLAIR  
REP. OHNSTAD  
REP. McINNES

REP. JOHNSON of Richland, Chairman.

Mr. Speaker: The minority of your Committee on Judiciary to whom was referred House Bill No. 239, have had the same

under consideration and recommend that the same do pass.

REP. GRAHAM  
 REP. HILDRE  
 REP. JENNINGS  
 REP. ROHRER  
 REP. SELLENS  
 REP. MOLLET

REP. JOHNSON of Richland, Chairman.

Rep. Mollet moved that the report of the minority be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: The majority of your Committee on Judiciary to whom was referred House Bill No. 170, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. NYSTROM  
 REP. SYMINGTON  
 REP. LEET  
 REP. ALLEN of Pierce  
 REP. WAMBHEIM  
 REP. BLAIR  
 REP. OHNSTAD  
 REP. McINNES  
 REP. HILDRE  
 REP. JENNINGS  
 REP. ROHRER  
 REP. SELLENS  
 REP. MOLLET  
 REP. BJELLA

REP. JOHNSON of Richland  
 REP. JOHNSON, of Richland, Chairman.

Mr. Speaker: The minority of your Committee on Judiciary to whom was referred House Bill No. 170, have had the same under consideration and recommend that the same do pass.

REP. GRAHAM  
 REP. ROHRER

REP. JOHNSON, of Richland, Chairman.

Rep. Graham moved that the report of the minority be adopted.

Rep. Fuglestad moved the previous question, which motion prevailed.

The question was on the motion of Rep. Graham that House Bill No. 170 do pass, which motion was lost.

A division was called for and disclosed 31 for and 69 against. So the motion was lost.

Rep. Wolf of McIntosh moved that House Bill No. 170 be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 199, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Richland, Chairman.

Rep. Sellens 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. 238, have had the same under consideration and recommend that the same be amended as follows:

In line 10 strike out the word "four" and the figure "4" and insert in lieu thereof the word "three" and the figure "3".

In line 12 strike out the word "three" and the figure "3" and insert in lieu thereof the word "two" and the figure "2".

And when so amended recommend the same do pass.

**REP. JOHNSON** of Richland, Chairman.

Rep. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the rules be suspended and House Bill No. 238 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 238 placed on the calendar.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 15, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 4.

Senate Bill No. 7.

Senate Bill No. 47.

**W. J. TROUT**, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Public Health to whom was referred House Bill No. 155, have had the same under consideration and recommend that the same be indefinitely postponed.

**REP. NYSTROM**, Chairman.

Rep. Moe moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Moe moved that the vote by which House Bill No. 155 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Public Debt to whom was referred House Bill No. 150, have had the same under consideration and recommend that the same be indefinitely postponed.

**REP. HILDRE**, Chairman.

Rep. Mollet moved that the report be adopted.

Rep. Forseth offered as a substitute motion that House Bill No. 150 be re-referred to the Committee on Public Debt, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 157, have had the same under consideration and recommend that the same be indefinitely postponed.

**REP. McINNES**, Chairman.

Rep. Haugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 181, have had the same under consideration and recommend that the same do pass.

**REP. BENNO**, Chairman.

Rep. Moerke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 180, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.

Rep. Brady moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges, to whom was referred House Bill No. 222, have had the same under consideration and recommend that the same be amended as follows:

In line 36 strike out after the word "section", the figures "30-0429", and insert in lieu thereof "39-0431".

Line 56, after the figures "150.00" insert the following provision:

"provided however, that every private carrier, who is solely engaged in interstate commerce, who shall secure the regular license plates and pay the fees required by law therefor, shall be exempt from the truck-mile tax imposed herein."

Add the following section:

Section 5. The powers and duties conferred and imposed by Sections 39-0426, 39-0427, 39-0428 and 39-0434 of the North Dakota Revised Code of 1943 upon the registrar of motor vehicles are hereby transferred to the Public Service Commission for administration.

Section 6. Section 39-0433 of the North Dakota Revised Code of 1943 is hereby repealed.

And when so amended recommend the same do pass.

REP. BAGGE, Chairman.

Rep. Sharpe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges, to whom was referred House Bill No. 223, have had the same under consideration and recommend that the same be amended as follows:

In line two of the title after the word "the", strike out the words "Revised Code of North Dakota for" and insert in lieu thereof "North Dakota Revised Code of".

And when so amended recommend the same do pass.

REP. BAGGE, Chairman.

Rep. Thompson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the rules be suspended and House Bill No. 223 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 223 placed on the calendar.

Mr. Speaker: Your Committee on Public Debt, to whom was referred House Bill No. 125, have had the same under consideration and recommend that the same be amended as follows:

After the word "proceedings" in line 10 of the bill strike

out the period and insert a comma and the following words: "and except that said regularly elected or appointed attorney for such political subdivision may be paid fees for such services by such political subdivision".

And renumber the lines accordingly.

And when so amended recommend the same do pass.

REP. HILDRE, Chairman.

Rep. Leet moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that the rules be suspended and House Bill No. 125 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 125 placed on the calendar.

Mr. Speaker: Your Committee on Public Debt, to whom was referred House Bill No. 148, have had the same under consideration and recommend that the same be returned to the House without recommendation.

REP. HILDRE, Chairman.

Rep. Forseth moved that action on House Bill No. 148 be deferred until the House has taken final action on House Bill No. 150, which motion prevailed.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 192, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Pierce, Chairman.

Rep. Haag moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 197, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 13 and renumber lines.

And when so amended recommend the same do pass.

REP. ALLEN of Pierce, Chairman.

Rep. Fitch moved that House Bill No. 197 be indefinitely postponed.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 15, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 15, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 52. A Bill for an Act Amending and Re-

enacting Section 28-3208 of the North Dakota Revised Code of 1943, Relating to Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 27-0602 of the North Dakota Revised Code of 1943 Providing for the Salary and Expenses of Court Reporters.

House Bill No. 72. A Bill for an Act to Amend and Re-enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Prepayments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands.

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.

Which the President has signed.

W. J. TROUT, Secretary.

The question was on the motion of Rep. Fitch that House Bill No. 197 be indefinitely postponed.

Rep. Lillehaugen offered as a substitute motion that House Bill No. 197 be placed in General Orders for amendment, which motion prevailed.

Rep. Halcrow moved that the House recess until 12:30 o'clock p. m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

FORTY-FIFTH DAY AFTER RECESS  
AND FORTY-SIXTH DAY

Bismarck, February 16, 1945

The House reconvened at 12:30 o'clock p.m., pursuant to recess taken, Speaker Bergesen presiding.

FIRST READING OF SENATE BILLS

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Temperance.

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Compliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Ways and Means.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Section 57-1605 of the North Dakota Revised Code of 1943, Relating to the Vote Necessary for the Approval of Excess Levies in School Districts; and Declaring an Emergency.

Was read the first time and referred to the Committee on Education.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 21.

Senate Bill No. 102.

And the Speaker signed the same in the presence of the House.

Rep. Bolmeier moved that House Bill No. 274 be withdrawn, which motion prevailed.

Rep. Arndt moved that his name be stricken from House Bill No. 182, which motion prevailed.

Rep. Forseth moved that House Concurrent Resolution "I" be withdrawn, which motion prevailed.

Rep. Forseth moved that House Bill No. 132 be withdrawn, which motion prevailed.

Rep. Arndt requested an extension of time on House Bill No. 186, which request was granted.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Employment report that Florence Boutrous has resigned as enrolling and engrossing stenographer and move that her name be stricken from the payroll.

REP. BLAIR, Chairman.

Rep. Blair moved that the report of the Employment Committee be adopted, which motion prevailed.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Concurrent Resolution "K", have had the same under consideration and recommend that the same do pass.

REP. BYMERS, Chairman.

Rep. Engel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: The majority of your Committee on Drainage and Irrigation, to whom was referred House Concurrent Resolution "C", have had the same under consideration and recommend that the same be indefinitely postponed.

REP. PYLE  
REP. BURAU  
REP. BJELLA  
REP. EKREN  
REP. COLLETTE  
REP. LUICK  
REP. HALCROW  
REP. SAILER

REP. SAILER, Chairman.

Mr. Speaker: The minority of your Committee on Drainage and Irrigation, to whom was referred House Concurrent Resolution "C", have had the same under consideration and recommend that the same do pass.

REP. FORSETH  
REP. SCHLAFMANN  
REP. DROVDAL  
REP. MORK

REP. SAILER, Chairman.

Rep. Forseth moved that the report of the minority be adopted.

Rep. Bolmeier offered as a substitute motion that the report of the majority be substituted for the report of the minority.

On a voice vote the Chair was in doubt.

On a rising vote 52 voted for and 47 voted against, so the motion prevailed, and House Concurrent Resolution "C" was indefinitely postponed.

Rep. Johnson of Richland moved that the vote by which House Concurrent Resolution "C" was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

On a voice vote the Chair was in doubt.

A Roll Call was demanded.

## ROLL CALL

The question being on the motion of Rep. Johnson of Rich-



land, the roll was called and there were ayes, 53; nays, 56; absent and not voting, 3.

Those voting in the affirmative were:

Allen, Grand Forks	Halerow	Sailer
Allen, Pierce	Heckman	Saumur
Arndt	Herk	Sellens
Bagge	Hildre	Severson
Benno	Hogoboom	Sharpe
Bjella	Hovey	Skaar
Blair	Johnson, Cass	Smart
Bolmeier	Johnson, Richland	Stanley
Brady	Langley	Sticka
Burau	Leet	Stormon
Callahan	Lindberg	Symington
Collette	Luick	Thompson, Griggs
Dalzell	Lysne	Wambheim
Drawz	McInnes	Westby
Ekren	Moe	Wollitz
Fitch	Nystrom	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Gainor	Pyle	

Those voting in the negative were:

Acheson	Haag	Rohrer
Anderson	Halvorson	Sandness
Baumgartner	Haugen	Schimke
Belzer	Haugland	Schlafmann
Boucher	Hegge	Schmalenberger
Bubel	Hofstrand	Schmidt, Logan
Bymers	Isaak	Schmidt, Morton
Crockett	Jennings	Schnell
Devlin	Larson	Schwartz
Dittmer	Levin	Seibel
Drovdal	Lillehaugen	Shockman
Engel	Maher	Stair
Esterby	Moerke	Still
Falconer	Mollet	Thompson, Richl'nd
Forseth	Monson	Tuff
Frank	Mork	Welk
Fraser	Mortenson	Wolf, McIntosh
Graham	Ohnstad	Wolf, Morton
Grenier	Ostgulen	

Absent and not voting:

Fleck	Klefstad	Olson, Bowman
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So the Clincher Motion was lost.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 240, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. ALLEN of Pierce, Chairman.

\*Rep. Haag moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Moe moved that the vote by which House Bill No. 240 was indefinitely postponed be reconsidered and House Bill No. 240 be re-referred to the Committee on Temperance, which motion lost.

Rep. Wolf of McIntosh moved that the vote by which House Bill No. 240 was indefinitely postponed be reconsidered and

the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred House Concurrent Resolution "S", have had the same under consideration and recommend that the same do pass.

REP. SEVERSON, Chairman.

Rep. Smart moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 248, have had the same under consideration and recommend that the same do pass.

REP. BYMERS, Chairman.

Rep. Pyle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on School and Public Lands, to whom was re-referred House Bill No. 134, have had the same under consideration and recommend that the same be amended as follows:

In the title strike out the period after "1943" and insert in lieu thereof the following: "as amended by Chapter 35 of the Special Session Laws for 1944."

In line 2, after the figures "1943" insert in lieu thereof the following: "as amended by Chapter 35 of the Special Session Laws for 1944."

And when so amended recommend the same do pass.

REP. SANDNESS, Chairman.

Rep. Drawz moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Sandness moved that the rules be suspended and House Bill No. 134 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 134 placed on the calendar.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 280, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Saumur 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. 247, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 250, have had the same under consideration and recommend the same without recommendations.

REP. ALLEN of Pierce, Chairman.

Rep. Lillehaugen moved that House Bill No. 250 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 275, have had the same

under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 228, have had the same under consideration and recommend that the same do pass.

REP. SMART, Chairman.

Rep. Forseth moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 256, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Sharpe moved that the report be adopted.

Rep. Thompson of Richland offered as a substitute motion that House Bill No. 256 be placed on the calendar.

Rep. Crockett moved that House Bill No. 256 be laid on the table.

On a voice vote the chair was in doubt.

A rising vote revealed a sufficient number voting for the motion of Rep. Crockett, so the motion prevailed, and House Bill No. 256 was laid on the table.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 242, have had the same under consideration and recommend that the same be amended as follows:

In line 44 strike out the word "preside" and insert in lieu thereof the word "recite".

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Langley moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Haugen moved that the rules be suspended and House Bill No. 242 be amended as recommended by the Standing Committee report, which motion prevailed, and the amendments were declared adopted and House Bill No. 242 placed on the calendar.

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 193, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Richland, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 252, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BAGGE, Chairman.

Rep. Hegge moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges

to whom was referred House Bill No. 255, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BAGGE, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 149, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Arndt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 260, have had the same under consideration and recommend that the same be amended as follows:

After the words "A Bill" strike out the balance of the bill and insert the following:

For an Act to Amend and Re-enact Section 57-1506 of the North Dakota Revised Code of 1943, Relating to Limitations on County Tax Levies.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT.) That Section 57-1506  
 2 1a of the  
 3 2 North Dakota Revised Code of 1943 is hereby amended  
 4 2a and  
 5 3 re-enacted to read as follows:  
 6 4 Section 57-1506. LIMITATIONS ON COUNTY  
 7 4a TAX LEVIES.)  
 8 5 County tax levies shall be limited as follows:  
 9 6 1. The board of county commissioners shall not levy  
 10 7 any taxes for general or special county purposes which  
 11 8 will exceed the amount produced by a levy of fifteen mills  
 12 9 on the dollar of the net taxable valuation of the county,  
 13 10 provided that the county shall levy no more than eleven  
 14 11 mills for general county purposes;  
 15 12 2. The board of county commissioners annually shall  
 16 13 levy taxes sufficient to meet the obligations of the  
 17 14 county for the maintenance of its patients in the chari-  
 18 15 table institutions of the state, but such taxes shall not  
 19 16 exceed the amount produced by a levy rate of one and one-  
 20 17 quarter mills on the dollar of net taxable valuation.  
 21 18 Such levy shall be within the amount produced by the  
 22 19 fifteen mill rate, and shall be a paramount charge, to the  
 23 20 exclusion of all other budget items, upon the necessary  
 24 21 part of the total tax levies;  
 25 22 3. The eleven mill limitation shall apply to all  
 26 23 tax levies which the county is authorized to levy for  
 27 24 general and special county purposes, but such mill  
 28 25 limitation shall not apply:  
 29 26 (a) To tax levies made for road and bridge purposes  
 30 27 which mill levy shall not exceed four mills and may be  
 31 28 separately levied;  
 29 (b) To tax levies made for the purpose of paying the  
 30 principal and interest on any obligations of the county  
 31 evidenced by the issuance of bonds;

32 (c) To tax levies made to pay the county tuition  
33 provided for by section 57-1524;

34 (d) To taxes levied for the purpose of combatting  
35 the grasshopper pest, pursuant to section 4-1501;

36 (e) To taxes levied for the purpose of combatting  
37 gophers pursuant to section 4-1602;

38 (f) To taxes levied pursuant to any statute which  
39 expressly provides that the taxes authorized to be levied  
40 therein shall not be subject to the eleven mill limitation  
41 for general and special county purposes; nor

42 (g) To the tax levied pursuant to the provisions of  
43 chapter 42 of the title Education, for support and mainte-  
44 nance of county agricultural and training schools, up to  
45 a maximum of one and a half mills on the assessed  
45a value in

46 the county for such purpose. Nothing herein contained  
47 shall be construed to prevent the appropriation of money  
48 from the county general fund for the support and mainte-  
49 nance of county agricultural and training schools.

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Johnson of Richland moved that the report be adopted,  
which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties, to whom was  
referred House Bill No. 259, have had the same under con-  
sideration and recommend that the same do pass.

REP. SMART, Chairman.

Rep. Bolmeier moved that the report be adopted, which  
motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was  
referred House Bill No. 258, have had the same under con-  
sideration and recommend that the same do pass.

REP. SMART, Chairman.

Rep. Stanley moved that the report be adopted, which  
motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom  
was referred House Bill No. 204, have had the same under  
consideration and recommend that the same be indefinitely  
postponed.

REP. BOLMEIER, Chairman.

Rep. Levin moved that the report be adopted, which motion  
prevailed and the report was adopted.

Mr. Speaker: Your Committee on Temperance, to whom  
was referred House Bill No. 212, have had the same under  
consideration and recommend that the same be amended as  
follows:

In Section 1, line 12 after the word "villages" insert a  
"period" and strike out the remainder of the section.

And renumber the lines.

And when so amended recommend the same do pass.

REP. ALLEN of Pierce, Chairman.

Rep. Lillehaugen moved that the report be adopted, which  
motion prevailed and the report was adopted.

Rep. Lillehaugen moved that the rules be suspended and  
House Bill No. 212 be amended as recommended by the

Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 212 placed on the calendar.

Mr. Speaker: Your Committee on Election and Election Privileges, to whom was referred House Concurrent Resolution "U", have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HOGOBOOM, Acting Chairman.

Rep. McInnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 229, have had the same under consideration and recommend that the same be amended as follows:

In the first line of the title correct the spelling of the word "gases".

In the body of the original bill beginning with line thirty strike out all of line thirty and all subsequent lines thereto to and including line ninety-two.

And when so amended recommend the same do pass.

REP. BOLMEIER, Chairman.

Rep. Falconer moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bolmeier moved that the rules be suspended and House Bill No. 229 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and House Bill No. 229 placed on the calendar.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 100, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Fraser 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. 191, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Pyle 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. 205, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Crockett 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. 187, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Westby 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. 69, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Crockett 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. 145, 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 Veterans and Military Affairs to whom was referred House Bill No. 104, have had the same under consideration and recommend that the same be amended as follows:

Beginning in line 1 strike out everything after the word and numeral "Section 1." down through line 48 and insert the following language:

1 In each public department and upon all public  
2 works of the State of North Dakota and of the  
3 counties, cities or villages therein, honorably dis-  
4 charged members of the Armed Forces who have defended  
5 this nation in time of war, or their widows, or  
6 their wives when the veteran is wholly incapacitated  
7 by reason of disabilities not resulting from his own  
8 vicious habits, shall be preferred for appointment,  
9 and age, loss of limb or other physical impairment  
10 which does not in fact incapacitate the persons  
11 from performing the duties of the positions sought,  
12 shall not disqualify them, if they possess the  
13 requisite qualifications and business capacity to  
14 discharge the duties of the positions involved.  
15 Provided further, that to be eligible under the pro-  
16 visions of this Act the person applying shall be a  
17 citizen of the United States and shall have been a  
18 resident of the State of North Dakota at the time of  
19 his or her induction or enlistment in the armed  
20 forces and where a county, city or village appointment  
21 is involved the applicant shall have been a resident  
22 of such political subdivision for at least six months  
23 immediately preceding the appointment sought.

24 SECTION 2. A vacancy shall be considered to exist  
25 under the provisions of this Act whenever the term  
26 of the incumbent expires by reason of death, resignation,  
27 dismissal for cause or the expiration of the tenure  
28 of appointment requiring a new appointment. The  
29 replacement of an incumbent by a veteran, widow or wife  
30 without such event occurring is not contemplated by  
31 the provisions of this act.

32 SECTION 3. Exceptions. Excepted from the  
32a provisions  
33 of this Act are the personal staff of the Governor  
34 and the first assistant or deputy of an elected depart-  
35 ment head plus the personal secretary of each  
36 elected official. There shall also be excepted from  
37 the operation of this act any temporary investigating  
38 committee or group appointed by the Governor or

39 the Legislative Assembly. This Act shall not interfere  
 40 with the regular operation of the Merit System, except  
 41 that upon proof submitted showing honorable service  
 42 during a war a veteran shall have 5% added to the  
 43 rating which he obtains on examination and a disabled  
 44 veteran with a service connected disability shall  
 45 have 10% added to his rating so obtained.

46 SECTION 4. Remedy. Whenever an eligible veteran,  
 47 widow or wife has made application for a public  
 48 position and is refused an appointment for which he  
 49 or she possesses the necessary qualifications, in  
 50 violation of the spirit and intent of this act, then  
 51 such person shall have the right to petition by  
 52 verified petition the District Court of the State  
 53 of North Dakota in the county in which the work is  
 54 to be performed, setting forth the facts of his  
 55 application qualifications, competency and honorable  
 56 discharge entitling him or her to preference under  
 57 this Act and upon the filing of such petition the  
 58 Judge in said court shall forthwith issue an order  
 59 to show cause to the appointing authority directing  
 60 said authority to appear in said court at a specified  
 61 time and place, not less than five nor more than ten  
 62 days after the filing of said verified petition, to  
 63 show cause, if any, he have why said veteran or person  
 64 entitled to preference should not be employed by him  
 65 and the said District Court shall have jurisdiction  
 66 upon the proper showing to issue its order directing  
 67 and ordering said appointing authority to comply with  
 68 this law in giving the preference herein provided.

69 SECTION 5. Should any part of this Act be declared  
 70 invalid all other parts and provisions thereof shall  
 71 remain in full force and effect.

72 SECTION 6. All acts or parts of acts in conflict  
 73 with the provisions of this act are hereby repealed.

74 SECTION 7. EMERGENCY. This act is hereby  
 74a declared

75 to be an emergency measure and the same shall be in  
 76 full force and effect from and after its passage and  
 77 approval.

And when so amended recommend the same do pass.

REP. SEVERSON, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Debt to whom was referred House Concurrent Resolution "L", have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HILDRE, Chairman.

Rep. Fuglestad moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 226, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.



Mr. Speaker: Your Committee on Public Health to whom was referred House Bill No. 195, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. NYSTROM, Chairman.

Rep. Benno moved that the report be adopted.

Rep. Schnell moved that consideration of the Standing Committee report on House Bill No. 195 be deferred one legislative day, which motion prevailed.

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred House Bill No. 249, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HOGOBOOM, Acting Chairman.

Rep. McInnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred House Bill No. 201, have had the same under consideration and recommend that the same do pass.

REP. HOGOBOOM, Acting Chairman.

Rep. Schnell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 244, have had the same under consideration and recommend that the same do pass.

REP. SCHNELL, Chairman.

Rep. Halvorson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Banks and Banking to whom was referred House Bill No. 273, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. CALLAHAN, Chairman.

Rep. Brady moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 151, have had the same under consideration and recommend that the same be amended as follows:

In line seventy-two of the original bill after the word "all" strike the following words "teachers, principals, and".

And when so amended recommend the same do pass.

REP. BOLMEIER, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred House Concurrent Resolution "G", have had the same under consideration and recommend that the same do pass.

REP. SMART, Chairman.

Rep. Devlin moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on School and Public Lands

to whom was referred Senate Bill No. 106, have had the same under consideration and recommend that the same do pass.

REP. SANDNESS, Chairman.

Rep. Sellens moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 125, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Sailer 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. 165, have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title strike the word "creating" and insert in lieu thereof the word "declaring".

And when so amended recommend the same do pass.

REP. BOLMEIER, Chairman.

Rep. Halvorson moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bolmeier moved that the rules be suspended and Senate Bill No. 165 be amended as recommended by the Standing Committee report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 165 was placed on the calendar.

Mr. Speaker: Your Committee on Public Health, to whom was referred Senate Bill No. 58, have had the same under consideration and recommend that the same do pass.

REP. NYSTROM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Health, to whom was referred Senate Bill No. 57, have had the same under consideration and recommend that the same be amended as follows:

In line 3 after the word "any" cross out the word "sale" and in lieu thereof insert the word "salt."

And when so amended recommend the same do pass.

REP. NYSTROM, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Nystrom moved that the rules be suspended and Senate Bill No. 57 as amended by the Standing Committee report be adopted, which motion prevailed and the amendments were declared adopted and Senate Bill No. 57 was placed on the Calendar.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 112, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BOLMEIER, 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:

House Bill No. 52.  
House Bill No. 57.  
House Bill No. 72.

Were delivered to the Governor for his approval at the hour of 1:35 P.M. o'clock February 16, 1945.

REP. LEET, Chairman.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that:

House Bill No. 84.  
House Bill No. 102.

Were delivered to the Governor for his approval at the hour of 1:35 P. M. o'clock February 16, 1945.

REP. LEET, Chairman.

**REPORT OF SELECT COMMITTEES**

The Conference Committee on Senate Bill No. 38 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 38, have had the same under consideration and recommend:

That the Senate do concur in the House amendments.

For the Senate:  
MILTON RUE  
RILIE R. MORGAN  
R. M. STREIBEL

For the House:  
W. L. BOLMEIER  
BRYNHILD HAUGLAND  
PALMER LEVIN

Rep. Bolmeier moved that the report be adopted, which motion prevailed and the report was adopted and the Committee was discharged.

**HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT**

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolution:

House Bill No. 147.  
House Bill No. 125.  
House Bill No. 223.  
House Bill No. 238.  
House Concurrent Resolution "M".

And find the same correctly Engrossed.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your committee on Enrollment and Engross-

ment respectfully report that they have examined the following bill:

House Bill No. 29.

And find the same correctly Re-engrossed.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Blair placed in nomination the name of Ann L. Selvig as enrolling and engrossing stenographer.

#### ROLL CALL

The question being on the employment of Ann L. Selvig, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Acheson	Graham	Ohnstad
Allen, Pierce	Grenier	Olson, Barnes
Anderson	Haag	Ostgulen
Arndt	Halcrow	Pyle
Bagge	Halvorson	Rohrer
Baumgartner	Haugen	Sailer
Belzer	Haugland	Schlafmann
Benno	Heckman	Schmidt, Logan
Bjella	Hegge	Schmidt, Morton
Blair	Herk	Schwartz
Bolmeier	Hildre	Seibel
Boucher	Hofstrand	Sellens
Brady	Hogoboom	Severson
Bubel	Isaak	Sharpe
Burau	Jennings	Shockman
Bymers	Johnson, Cass	Skaar
Collette	Johnson, Richland	Stair
Dalzell	Klefstad	Stanley
Devlin	Langley	Still
Drawz	Larson	Stormon
Drovdal	Leet	Symington
Ekren	Levin	Thompson, Griggs
Engel	Lindberg	Tuff
Esterby	Luick	Wambheim
Falconer	Lysne	Welk
Fitch	McInnes	Westby
Fleck	Moe	Wolf, McIntosh
Forseth	Moerke	Wolf, Morton
Frank	Mork	Wollitz
Fraser	Mortenson	Yirchott
Fuglestad	Nystrom	Mr. Speaker
Gainor		

Absent and not voting:

Allen, Grand Forks	Maher	Schimke
Callahan	Mollet	Schmalenberger
Crockett	Monson	Schnell
Dittmer	Olson, Bowman	Smart
Hovey	Sandness	Sticka
Lillehaugen	Saumur	Thompson, Richl'nd

So Ann L. Selvig was duly elected.

The Speaker administered the oath of office to Ann L. Selvig.

Rep. Bolmeier moved that the absent members be excused, which motion prevailed.

Rep. Welk moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

#### FORTY-FIFTH DAY

Bismarck, February 16, 1945

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. G. W. Stewart.

Roll call: All members present except Rep. Olson of Bowman.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 16, 1945

Mr. President: I have the honor to return:

Senate Bill No. 107. A Bill for an Act Providing for the Retirement of Employees of State Charitable or Penal Institutions, Fixing the Retirement Pay and Providing for Biennial Budget.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 16, 1945

Mr. President: I have the honor to return:

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1303 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-third Day After Recess and the Forty-fourth Day and recommends that the same be corrected as follows:

In line 23, page 538, change "173" to "73".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Haugen moved that the House recess for twenty minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

#### SECOND READING OF HOUSE BILLS

House Bill No. 194. A Bill for an Act Authorizing Administration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the

Armed Forces of the United States of America; Declaring Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Acheson	Halvorson	
Allen, Pierce	Haugen	Rohrer
Anderson	Haugland	Sandness
Arndt	Heckman	Saumur
Bagge	Hegge	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogboom	Schnell
Blair	Hovey	Schwartz
Bolmeier	Isaak	Seibel
Boucher	Jennings	Sellens
Brady	Johnson, Cass	Severson
Bureau	Johnson, Richland	Sharpe
Bymers	Klefstad	Shockman
Callaban	Langley	Skaar
Crockett	Larson	Smart
Dalzell	Leet	Stair
Devlin	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Engel	Lysne	Symington
Esterby	McInnes	Thompson, Griggs
Falconer	Moe	Thompson, Rich'nd
Fleck	Moerke	Tuff
Forseth	Mollet	Wambheim
Frank	Monson	Welk
Fraser	Mork	Westby
Fuglestad	Mortenson	Wolf, McIntosh
Graham	Nystrom	Wolf, Morton
Grenier	Ohnstad	Wollitz
Haag	Olson, Barnes	Yirchott
Halcrow	Ostgulen	Mr. Speaker

Absent and not voting:

Allen, Grand Forks	Fitch	Pyle
Bubel	Gainor	Sailer
Collette	Maher	Schimke
Drawz	Olson, Bowman	

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

The House was on the seventh order of business.

Rep. Schnell moved that House Bill No. 244 be re-referred to the Committee on Appropriations, which motion prevailed.

Rep. Lillehaugen moved that House Bill No. 211 be re-referred to the Committee on Temperance, which motion prevailed.

House Bill No. 207. A Bill for an Act to Freeze License Fees on Passenger Motor Vehicles and Trucks at the Same.

Tax as Paid for the Year 1945 During the Years 1946 and 1947.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 57; nays, 54; absent and not voting, 1.

Those voting in the affirmative were:

Allen, Grand Forks	Grenier	Sailer
Allen, Pierce	Halcrow	Sandness
Arndt	Halvorson	Saumur
Bagge	Haugland	Sellens
Benno	Herk	Severson
Bolmeier	Hildre	Sharpe
Boucher	Hofstrand	Skaar
Brady	Hogoboom	Smart
Bymers	Hovey	Stanley
Callahan	Johnson, Cass	Still
Collette	Johnson, Richland	Stormon
Dalzell	Klefstad	Symington
Dittmer	Langley	Thompson, Griggs
Drawz	Leet	Wambheim
Ekren	Luick	Westby
Fitch	Lysne	Wolf, Morton
Fleck	McInnes	Wollitz
Fuglestad	Nystrom	Yirchott
Gainor	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Acheson	Haag	Ostgulen
Anderson	Haugen	Pyle
Baumgartner	Heckman	Rohrer
Belzer	Hegge	Schimke
Bjella	Isaak	Schlafmann
Blair	Jennings	Schmalenberger
Bubel	Larson	Schmidt, Logan
Burau	Levin	Schmidt, Morton
Crockett	Lillehaugen	Schnell
Devlin	Lindberg	Schwartz
Drovdal	Maher	Seibel
Engel	Moe	Shockman
Esterby	Moerke	Stair
Falconer	Mollet	Sticka
Forseth	Monson	Thompson, Richl'nd
Frank	Mork	Tuff
Fraser	Mortenson	Welk
Graham	Ohnstad	Wolf, McIntosh

Absent and not voting:

Olson, Bowman

So the bill passed as amended and the title was agreed to.

Rep. Allen of Grand Forks moved that the vote by which House Bill No. 207 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 163. A Bill for an Act Repealing That Initiated Measure, Adopted at the November 7, 1944 General Election and Entitled, "An Act to Secure for the State of North Dakota the Benefits of Federal Funds and Grants in Aid of the Construction and Reconstruction of Public Highways and Bridges, Including Feeder Highways

and Bridges, Authorizing the State Highway Department to Prepare a Highway Construction Program to Be Financed by the Issuance and Sale, in the Name of the State Highway Department, of State Highway Revenue Anticipation Certificates in an Aggregate Amount Not Exceeding \$12,860,000.00 Par Value, Bearing Interest at Not More Than Three Per Cent Per Annum, Payable Semiannually, Providing for the Sale of Such Certificates at Not Less Than Par and Accrued Interest, Subject to Call, Authorizing the Purchase Thereof and Investment Therein by the Bank of North Dakota, State Banks, Public Officers, Boards, Bureaus and Institutions, and the Acceptance Thereof as Security for Public Deposits, Directing the Payment of the Proceeds of Such Sale Into the State Highway Special Construction Fund Hereby Created and the Use Thereof in Affecting the Said Highway Construction Program, Providing for the Retirement of Such Certificates in Twenty Annual Installments, Imposing a One Cent Per Gallon Motor Vehicle Fuel Tax Upon all Dealers in Motor Vehicle Fuels, Excepting Only Motor Vehicle Fuels Sold and Used Solely for Agricultural and Industrial Purposes, Creating the State Highway Revenue Anticipation Certificate Retirement Fund into Which the Said Motor Vehicle Fuel Tax Shall Be Paid, Authorizing the Transfer into Such Fund from the State Highway Fund of Such Amounts, Not Exceeding \$250,000.00 in Any One Year, as May Be Required to Meet Any Deficit Resulting from the Retirement of Said Certificates, and Pledging and Appropriating Such Fund for the Payment of Said Certificates, Prescribing Penalties for the Violation of Any Provision of This Act, Providing a Safety Clause to the Effect That if Any Part of This Act Shall Be Found Invalid It Shall Be Presumed That the Act Would Have Been Enacted Without Such Invalid Section, and Providing for the Repeal of Chapter 263, 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, the roll was called and there were ayes, 22; nays, 89; absent and not voting, 1.

Those voting in the affirmative were:

Belzer	Hofstrand	Seibel
Bymers	Isaak	Shockman
Crockett	Lindberg	Stanley
Dalzell	Monson	Symington
Ekren	Schmidt, Logan	Tuff
Haag	Schnell	Westby
Halvorson	Schwartz	Wolf, McIntosh
Hegge		

Those voting in the negative were:

Acheson	Gainor	Ohnstad
Allen, Grand Forks	Graham	Olson, Barnes
Allen, Pierce	Grenier	Ostgulen
Anderson	Halcrow	Pyle
Arndt	Haugen	Rohrer
Bagge	Haugland	Sailer
Baumgartner	Heckman	Sandness
Benno	Herk	Saumur



Bjella	Hildre	Schimke
Blair	Hogoboom	Schlafmann
Bolmeier	Hovey	Schmalenberger
Boucher	Jennings	Schmidt, Morton
Brady	Johnson, Cass	Sellens
Bubel	Johnson, Richland	Severson
Burau	Klefstad	Sharpe
Callahan	Langley	Skaar
Collette	Larson	Smart
Devlin	Leet	Stair
Dittmer	Levin	Sticka
Drawz	Lillehaugen	Still
Drovdal	Luick	Stormon
Engel	Lysne	Thompson, Griggs
Esterby	McInnes	Thompson, Richl'nd
Falconer	Maher	Wambheim
Fitch	Moe	Welk
Fleck	Moerke	Wolf, Morton
Forseth	Mollet	Wollitz
Frank	Mork	Yirchott
Fraser	Mortenson	Mr. Speaker
Fuglestad	Nystrom	

Absent and not voting:

Olson, Bowman

So the bill was lost.

Rep. Symington moved that the vote by which House Bill No. 163 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 16, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 94. A Bill for an Act Amending and Re-enacting Section 40-4501 of the North Dakota Revised Code of 1943 Relating to Police Pensions in Cities.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 16, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund, After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer

in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 16, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, and Declaring an Emergency.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.

#### SECOND READING OF HOUSE BILLS

House Bill No. 178. A Bill for an Act to Amend and Re-enact Section 54-1304 of the North Dakota Revised Code of 1943, Relating to the Examination and Audit of State Departments and Institutions of Higher Education by the Board of Auditors.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 108; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Bjella	Herk	Schmidt, Logan
Blair	Hildre	Schmidt, Morton
Bolmeier	Hofstrand	Schnell
Boucher	Hogoboom	Schwartz
Brady	Hovey	Seibel
Bubel	Isaak	Sellens
Bureau	Jennings	Severson
Bymers	Johnson, Cass	Sharpe
Callahan	Johnson, Richland	Shockman
Collette	Klefstad	Skaar
Crockett	Langley	Smart
Dalzell	Larson	Stair
Devlin	Leet	Stanley
Dittmer	Levin	Sticka
Drawz	Lillehaugen	Still
Drovdal	Lindberg	Stormon
Ekren	Luick	Symington
Engel	Lysne	Thompson, Griggs
Esterby	McInnes	Thompson, Rich'nd
Falconer	Maher	Tuff
Fitch	Moe	Wambheim
Fleck	Moerke	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Graham	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Mollet

Absent and not voting:

Benno                      Olson, Bowman              Sailer

So the bill passed and the title was agreed to.

Rep. Fitch moved that the courtesies of the floor be extended to Willard Crockett, which motion prevailed and Willard Crockett was granted the courtesy of the floor. The Speaker called Rep. Levin to the Chair.

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 75; nays, 17; absent and not voting, 20.

## Those voting in the affirmative were:

Acheson	Frank	Mortenson
Allen, Grand Forks	Fraser	Olson, Barnes
Anderson	Fuglestad	Pyle
Arndt	Gainor	Schlafmann
Baumgartner	Haag	Schmalenberger
Belzer	Halcrow	Schmidt, Logan
Benno	Haugland	Schmidt, Morton
Bolmeier	Heckman	Schnell
Brady	Hegge	Sellens
Bureau	Herk	Severson
Callahan	Hildre	Sharpe
Collette	Hofstrand	Skaar
Crockett	Hogoboom	Smart
Dalzell	Isaak	Stair
Devlin	Johnson, Cass	Stanley
Dittmer	Klefstad	Sticka
Drawz	Langley	Still
Drovdal	Larson	Stormon
Ekren	Lillehaugen	Thompson, Griggs
Engel	Lindberg	Welk
Esterby	Luick	Westby
Falconer	Lysne	Wolf, McIntosh
Fitch	Moerke	Wolf, Morton
Fleck	Monson	Wollitz
Forseth	Mork	Yirchott

## Those voting in the negative were:

Boucher	Hovey	Saumur
Bubel	Levin	Seibel
Bymers	Maher	Shockman
Grenier	Moe	Thompson, Richl'nd
Halvorson	Ostgulen	Tuff
Haugen	Sandness	

## Absent and not voting:

Allen, Pierce	Leet	Sailer
Bagge	McInnes	Schimke
Bjella	Mollet	Schwartz
Blair	Nystrom	Symington
Graham	Ohnstad	Wambheim
Jennings	Olson, Bowman	Mr. Speaker
Johnson, Richland	Rohrer	

So the bill passed and the title was agreed to.

Rep. Bolmeier moved that the vote by which House Bill No. 200 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 26-0107 of the Revised Codes of North Dakota for 1943 Regarding Examination of Insurance Companies; and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 80; nays, 11; absent and not voting, 21.

## Those voting in the affirmative were:

Acheson	Halvorson	Saumur
Allen, Grand Forks	Haugen	Schlafmann
Anderson	Haugland	Schmalenberger

Baumgartner	Heckman	Schmidt, Logan
Benno	Hegge	Schmidt, Morton
Bolmeier	Herk	Schnell
Boucher	Hildre	Schwartz
Brady	Hofstrand	Seibel
Bubel	Hogoboom	Sellens
Bymers	Hovey	Severson
Callahan	Klefstad	Sharpe
Collette	Langley	Shockman
Crockett	Larson	Skaar
Dalzell	Levin	Smart
Devlin	Lillehaugen	Stair
Dittmer	Luick	Stanley
Drovdal	Lysne	Sticka
Esterby	Maher	Still
Falconer	Moe	Stormon
Fitch	Moerke	Thompson, Griggs
Fleck	Mork	Tuff
Forseth	Mortenson	Welk
Fuglestad	Olson, Barnes	Wolf, McIntosh
Gainor	Ostgulen	Wolf, Morton
Grenier	Pyle	Wollitz
Haag	Sailer	Yirchott
Halcrow	Sandness	
Those voting in the negative were:		
Arndt	Ekren	Monson
Belzer	Engel	Thompson, Richl'nd
Bureau	Frank	Westby
Drawz	Lindberg	
Absent and not voting:		
Allen, Pierce	Jennings	Ohnstad
Bagge	Johnson, Cass	Olson, Bowman
Bjella	Johnson, Richland	Rohrer
Blair	Leet	Schimke
Fraser	McInnes	Symington
Graham	Mollet	Wambheim
Isaak	Nystrom	Mr. Speaker

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

The Speaker resumed the Chair.

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 0; absent and not voting, 24.

Those voting in the affirmative were:

Acheson	Haag	Sandness
Allen, Grand Forks	Halcrow	Saumur
Anderson	Halvorson	Schlafmann
Arndt	Haugen	Schmalenberger
Baumgartner	Haugland	Schmidt, Logan
Belzer	Herk	Schmidt, Morton
Benno	Hildre	Schnell
Bolmeier	Hofstrand	Schwartz

Brady	Hogoboom	Seibel
Bubel	Hovey	Sellens
Burau	Isaak	Severson
Callahan	Klefstad	Sharpe
Collette	Langley	Shockman
Crockett	Larson	Skaar
Dalzell	Levin	Stair
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Luick	Still
Drovdal	Lysne	Stormon
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Richl'nd
Falconer	Moerke	Tuff
Fitch	Monson	Welk
Fleck	Mork	Westby
Forseth	Mortenson	Wolf, McIntosh
Frank	Olson, Barnes	Wolf, Morton
Fraser	Ostgulen	Wollitz
Fuglestad	Pyle	Yirchott
Gainor	Sailer	Mr. Speaker
Grenier		

## Absent and not voting:

Allen, Pierce	Heckman	Nystrom
Bagge	Hegge	Ohnstad
Bjella	Jennings	Olson, Bowman
Blair	Johnson, Cass	Rohrer
Boucher	Johnson, Richland	Schimke
Bymers	Leet	Smart
Ekren	McInnes	Symington
Graham	Mollet	Wambheim

So the bill passed and the title was agreed to.

The House was on the Seventh Order of Business.

Rep. Forseth moved that the vote by which House Concurrent Resolution "L" was indefinitely postponed be reconsidered, which motion prevailed.

Rep. Forseth moved that House Concurrent Resolution "L" be re-referred to the Committee on Public Debt, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

Was read the second time.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Acheson	Gainor	Sailer
Allen, Grand Forks	Grenier	Saumur
Anderson	Haag	Sandness
Arndt	Halcrow	Schlafmann
Bagge	Halvorson	Schmalenberger
Baumgartner	Haugen	Schmidt, Logan
Belzer	Haugland	Schmidt, Morton
Benno	Herk	Schnell

Bolmeier	Hildre	Schwartz
Brady	Hofstrand	Sellens
Bubel	Hogboom	Severson
Bureau	Hovey	Sharpe
Bymers	Isaak	Shockman
Callahan	Johnson, Cass	Skaar
Collette	Klefstad	Smart
Crockett	Langley	Stair
Dalzell	Larson	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Thompson, Griggs
Ekren	Lysne	Thompson, Richl'nd
Engel	Maher	Tuff
Esterby	Moe	Welk
Falconer	Moerke	Westby
Fitch	Monson	Wolf, McIntosh
Fleck	Mork	Wolf, Morton
Forseth	Mortenson	Wollitz
Frank	Olson, Barnes	Yirchott
Fraser	Ostgulen	Mr. Speaker
Fuglestad	Pyle	
Absent and not voting:		
Allen, Pierce	Jennings	Olson, Bowman
Bjella	Johnson, Richland	Rohrer
Blair	Leet	Schimke
Boucher	McInnes	Seibel
Graham	Mollet	Symington
Heckman	Nystrom	Wambheim
Hegge	Ohnstad	

So the resolution passed and the title was agreed to.

Rep. Wolf of McIntosh moved that the vote by which House Concurrent Resolution "H" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 16, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 98. A Bill for an Act to Fix the Tax Levy Limitations in School Districts.

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Senate Bill No. 182. A Bill for an Act to Amend and Re-Enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Senate Concurrent Resolution No. 14. A Concurrent Resolution Memorializing Congress of the United States of America and the War Department to Utilize the Facilities Available at Fort Lincoln, North Dakota in the Readjustment Program Following the War.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

#### SECOND READING OF HOUSE BILLS

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

Was read the 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, 15; absent and not voting, 19.

Those voting in the affirmative were:

Acheson	Frank	Olson, Barnes
Allen, Grand Forks	Fraser	Ostgulen
Anderson	Fuglestad	Pyle
Arndt	Gainor	Sailer
Bagge	Grenier	Sandness
Baumgartner	Haag	Saumur
Belzer	Halcrow	Schlafmann
Benno	Haugland	Schmidt, Logan
Bolmeier	Hegge	Schmidt, Morton
Boucher	Herk	Schwartz
Brady	Hildre	Sellens
Burau	Hofstrand	Severson
Bymers	Hogoboom	Sharpe
Callahan	Hovey	Skaar
Collette	Isaak	Smart
Devlin	Johnson, Cass	Stair
Dittmer	Klefstad	Stanley
Drawz	Langley	Still
Drovdal	Lillehaugen	Stormon
Ekren	Lindberg	Thompson, Griggs
Engel	Luick	Tuff
Esterby	Lysne	Wolf, McIntosh
Falconer	Maher	Wolf, Morton
Fitch	Moerke	Wollitz
Fleck	Mork	Yirchott
Forseth	Mortenson	Mr. Speaker



Those voting in the negative were:

Bubel	Levin	Seibel
Crockett	Moe	Shockman
Dalzell	Monson	Sticka
Halvorson	Schmalenberger	Thompson, Richl'nd
Larson	Schnell	Welk

Absent and not voting:

Allen, Pierce	Johnson, Richland	Olson, Bowman
Bjella	Leet	Rohrer
Blair	McInnes	Schimke
Graham	Mollet	Symington
Haugen	Nystrom	Wambheim
Heckman	Ohnstad	Westby
Jennings		

So the bill as amended passed and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 16, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

Which the House has passed and your favorable consideration is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 147. A Bill for an Act Relating to the Sale of Intoxicating Liquor to Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

Was read the second time.

Rep. Bolmeier moved the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 58; nays, 50; absent and not voting, 4.

Those voting in the affirmative were:

Allen, Grand Forks	Haugen	Ohnstad
Allen, Pierce	Haugland	Olson, Barnes
Belzer	Herk	Ostgulen
Benno	Hildre	Sandness
Bjella	Hofstrand	Schlafmann
Blair	Hovey	Sharpe
Bolmeier	Johnson, Cass	Skaar
Brady	Johnson, Richland	Smart
Bureau	Langley	Stanley
Bymers	Leet	Still
Callahan	Levin	Stormon
Crockett	Lillehaugen	Symington
Dalzell	Lindberg	Thompson, Griggs
Dittmer	Luick	Thompson, Richl'nd
Ekren	Lysne	Tuff
Engel	Moe	Wambheim
Falconer	Monson	Westby
Fuglestad	Mortenson	Wollitz
Graham	Nystrom	Mr. Speaker
Halcrow		

Those voting in the negative were:

Acheson	Grenier	Schimke
Anderson	Haag	Schmalenberger
Arndt	Halvorson	Schmidt, Logan
Bagge	Hegge	Schmidt, Morton
Baumgartner	Hogoboom	Schnell
Boucher	Isaak	Schwartz
Bubel	Jennings	Seibel
Collette	Klefstad	Sellens
Devlin	Larson	Severson
Drawz	McInnes	Shockman
Drovdal	Maher	Stair
Esterby	Moerke	Sticka
Fleck	Mollet	Welk
Forseth	Mork	Wolf, McIntosh
Frank	Pyle	Wolf, Morton
Fraser	Rohrer	Yirchott
Gainor	Sailer	

Absent and not voting:

Fitch	Olson, Bowman	Saumur
Heckman		

So the bill as amended passed and the title was agreed to.

Rep. Hogoboom: I want to explain my vote. I don't know of any bill that has come up here that I hate to vote on as much as I do on this. I am going to vote "no" because I believe you are going back instead of ahead. You are going back to moonshine, boot-legging and blind pigs. For that reason, I am voting "no".

Rep. Thompson of Richland: I wish to explain my vote and have it recorded. Ordinarily I would go against something like this because I dislike to see ordinary citizens have to carry around a billfold full of different kinds of cards, but in the hope that this will correct some of the evils that are being carried on and injuring our young people, I vote "aye".

Rep. Blair moved that Mrs. Bette Teslovick be nominated as enrolling and engrossing stenographer.

#### ROLL CALL

The question being on the employment of Mrs. Bette Teslovick, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Acheson	Grenier	Sailer
Allen, Grand Forks	Haag	Sandness
Allen, Pierce	Halcrow	Saumur
Anderson	Halvorson	Schimke
Arndt	Haugen	Schlafmann
Bagge	Haugland	Schmalenberger
Baumgartner	Hegge	Schmidt, Logan
Belzer	Herk	Schmidt, Morton
Benno	Hildre	Schnell
Bjella	Hogoboom	Schwartz
Blair	Hovey	Seibel
Bolmeier	Isaak	Sellens

Boucher	Jennings	Severson
Bubel	Johnson, Richland	Sharpe
Bureau	Johnson, Cass	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Stair
Collette	Larson	Stanley
Crockett	Leet	Sticka
Devlin	Levin	Still
Dittmer	Lillehaugen	Stormon
Drawz	Lysne	Symington
Drovdal	McInnes	Thompson, Griggs
Ekren	Moe	Thompson, Richl'nd
Esterby	Monson	Tuff
Falconer	Mork	Wambheim
Fitch	Mortenson	Welk
Fleck	Nystrom	Westby
Forseth	Ohnstad	Wolf, Morton
Fraser	Olson, Barnes	Wollitz
Fuglestad	Pyle	Yirchott
Graham	Rohrer	Mr. Speaker
Absent and not voting:		
Brady	Hofstrand	Mollet
Dalzell	Lindberg	Olson, Bowman
Engel	Luick	Ostgulen
Frank	Maher	Smart
Gainor	Moerke	Wolf, McIntosh
Heckman		

So Mrs. Bette Teslovick was duly elected.

The Speaker administered the oath of office to Mrs. Bette Teslovick.

Rep. Sailer moved that the House recess until 6:30 o'clock p.m., which motion prevailed.

The House reconvened at 6:30 o'clock pursuant to recess, Speaker Bergesen presiding.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 98. A Bill for an Act to Fix the Tax Levy Limitations in School Districts.

Was read the first time and referred to the Committee on Education.

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity

of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 182. A Bill for an Act to Amend and Re-Enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Was read the first time and referred to the Committee on Judiciary.

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Was read the first time and referred to the Committee on Ways and Means.

Senate Concurrent Resolution No. 14. A Concurrent Resolution Memorializing Congress of the United States of America and the War Department to Utilize the Facilities Available at Fort Lincoln, North Dakota in the Readjustment Program Following the War.

Was read the first time and referred to the Committee on Veterans and Military Affairs.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 62, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, after the words "52-01, of the" insert the words "North Dakota"; after the words "52-0201, of the" insert the words "North Dakota"; after the words "52-0215, of the" insert the words "North Dakota"; after the words "52-0301, of the" insert the words "North Dakota"; after the words "52-04, of the" insert the words "North Dakota"; after the words "52-0601, of the" insert the words "North Dakota"; after the words "52-0602, of the" insert the words "North Dakota"; after the words "52-604, of the" insert the words "North Dakota"; after the words "52-0605, of the" insert the words "North Dakota"; after the words "52-0616, of the" insert the words "North Dakota"; after the words "52-0617, of the" insert the words "North Dakota"; after the words "52-0627, of the" insert the words "North Dakota"; after the words "52-0702, of the" insert the words "North Dakota".

In Line 1 after the words "52-01 of the" insert the words "North Dakota".

In Line 197, after the words "in fact;" insert the word "and".

In Line 625, after the words "52-0201 of the" insert the words "North Dakota".

In Line 656, after the words "52-0215 of the" insert the words "North Dakota".

In Line 719, after the words "52-0301 of the" insert the words "North Dakota".

In Line 740, after the words "52-04 of the" insert the words "North Dakota".

In Line 1045, after the words "52-0601 of the" insert the words "North Dakota".

In Line 1120, after the words "52-0602 of the" insert the words "North Dakota".

In Line 1210, after the words "52-0604 of the" insert the words "North Dakota".

In Line 1239, after the words "52-0605 of the" insert the words "North Dakota".

In Line 1246, after the words "52-0616 of the" insert the words "North Dakota".

In Line 1270, after the words "52-0617 of the" insert the words "North Dakota".

In Line 1290, after the words "52-0627 of the" insert the words "North Dakota".

In line 1333, after the words "52-0702 of the" insert the words "North Dakota".

In Section 52-0406, Subsection 1, add the following divisions as follows:

"f. Eight-tenths of one percent, if such excess equals or exceeds twelve percent of his average annual payroll.

"g. One-half of one percent, if such excess equals or exceeds fifteen percent of his average annual payroll."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

REP. ALLEN of Grand Forks, Chairman.

Rep. Seibel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Printing, to whom was referred House Bill No. 186, have had the same under consideration and recommend that the same be amended as follows:

In line 31 of the original bill, strike out one of the two words "the". It is superfluous.

And when so amended recommend the same do pass.

REP. ARNDT, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Leet moved that the rules be suspended and House Bill No. 186 as amended by the Standing Committee report be adopted, which motion prevailed and the amendments were declared adopted and House Bill No. 186 was placed on the Calendar.

Mr. Speaker: Your Committee on Highways and Bridges, to whom was referred House Bill No. 161, have had the same under consideration and recommend that the same be amended as follows:

In line two of the title after the word "the", strike out the words "Revised Code of North Dakota for", and insert in lieu thereof "North Dakota Revised Code of".

In line two after the word "the", strike out the words "Revised Code of North Dakota for", and insert in lieu thereof "North Dakota Revised Code of".

In line twenty-eight after the word "the", strike out the words "Revised Code of North Dakota for", and insert in lieu thereof "North Dakota Revised Code of".

In line seven strike out the word "sixty" and insert in lieu thereof the word "forty-five".

And when so amended recommend the same do pass.

REP. BAGGE, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 162, have had the same under consideration and recommend that the same be amended as follows:

After the words "A Bill", strike out "all of the title", and insert in lieu thereof "For an Act to amend and re-enact Section 39-0424 of the North Dakota Revised Code of 1943, relating to license fees for registration of commercial and non-commercial trucks; providing for the registration of a combination of vehicles upon a gross weight basis and prescribing a minimum fee."

Strike out lines "1 - 9" inclusive.

In line "10" strike out the numeral "2" after the word "Section", and insert in lieu thereof the numeral "1".

In line "11" strike out the words "Revised Code of North Dakota for", and insert in lieu thereof "North Dakota Revised Code of".

In line "13" strike out the words "All commercial and", and all of lines 14, 15, 16, 17, and 18.

Strike out all of "lines 41, 42, and the first word of line 43", and insert in lieu thereof the following: "Where the gross weight of a combination of vehicles, including weight of vehicle and cargo, exceeds forty thousand pounds, each vehicle of the combination may be licensed on the following basis, known as "Schedule C"

#### SCHEDULE "C"

20,000	.....	\$ 65.00
22,000	.....	120.00
24,000	.....	175.00
26,000	.....	230.00
28,000	.....	285.00
30,000	.....	340.00
32,000	.....	395.00
34,000	.....	450.00

At the end of line "54" after the word "thereafter", add the following Proviso: "Provided, however, that the total fee for a combination of vehicles exceeding forty thousand pounds gross weight shall be not less than the maximum of \$250.00 imposed by Section 39-0424 of the North Dakota Revised Code of 1943."

Strike out all of Section "3" of the bill.

And renumber the lines accordingly.

And when so amended recommend the same do pass.

REP. BAGGE, Chairman.

Rep. Hegge moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance, to whom was referred House Bill No. 206, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. ALLEN of Grand Forks, Chairman.

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges, to whom was referred Senate Bill No. 104, have had the same under consideration and recommend that the same do pass.

REP. BAGGE, Chairman.

Rep. Yirchott moved that the report be adopted, which motion prevailed and the report was adopted.

#### SECOND READING OF HOUSE BILLS

House Concurrent Resolution "M." Memorializing the Congress of the United States to Enact Legislation Permitting the Cancellation of Outstanding Feed and Seed Loans by Payment of Twenty-five Per Cent of the Principal.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 63; nays, 29; absent and not voting, 20.

Those voting in the affirmative were:

Acheson	Fuglestad	Ostgulen
Anderson	Graham	Sailer
Bagge	Haag	Sandness
Baumgartner	Halvorson	Schmalenberger
Belzer	Haugen	Schmidt, Logan
Bolmeier	Haugland	Schmidt, Morton
Brady	Heckman	Schnell
Burau	Hegge	Schwartz
Bymers	Isaak	Seibel
Devlin	Johnson, Richland	Shockman
Dittmer	Klefstad	Skaar
Drawz	Leet	Stanley
Drovdal	Levin	Sticka
Ekren	Lillehaugen	Still
Engel	Lindberg	Thompson, Griggs
Esterby	Maher	Thompson, Richl'nd
Falconer	Moerke	Tuff
Fleck	Mollet	Welk
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fraser	Mortenson	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks	Hovey	Saumur
Allen, Pierce	Jennings	Schlafmann
Blair	Luick	Sellens
Bubel	Lysne	Sharpe
Collette	McInnes	Stormon

Dalzell	Moe	Symington
Gainor	Nystrom	Wambheim
Herk	Ohnstad	Westby
Hildre	Olson, Barnes	Yirchott
Hogoboom	Rohrer	

Absent and not voting:

Arndt	Grenier	Pyle
Benno	Halcrow	Schimke
Bjella	Hofstrand	Severson
Boucher	Johnson, Cass	Smart
Callahan	Langley	Stair
Crockett	Larson	Wollitz
Fitch	Olson, Bowman	

So the resolution as amended passed and the title was agreed to.

Rep. Graham moved that the vote by which House Concurrent Resolution "M" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Organized Townships, Villages and Cities of the State of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 68; nays, 24; absent and not voting, 20.

Those voting in the affirmative were:

Acheson	Gainor	Mortenson
Allen, Grand Forks	Graham	Nystrom
Allen, Pierce	Halvorson	Ohnstad
Anderson	Haugen	Ostgulen
Baumgartner	Haugland	Pyle
Belzer	Heckman	Sailer
Blair	Hegge	Sandness
Bolmeier	Herk	Saumur
Brady	Hildre	Schmidt, Morton
Bubel	Hogoboom	Schwartz
Bureau	Hovey	Seibel
Bymers	Jennings	Sellens
Collette	Johnson, Cass	Sharpe
Devlin	Johnson, Richland	Shockman
Dittmer	Klefstad	Skaar
Drawz	Leet	Still
Drovdal	Lindberg	Stormon
Esterby	Luick	Thompson, Griggs
Falconer	Maher	Tuff
Fleck	Moerke	Westby
Forseth	Mollet	Wolf, Morton
Fraser	Monson	Mr. Speaker
Fuglestad	Mork	

Those voting in the negative were:

Bagge	Lysne	Stanley
Dalzell	McInnes	Sticka
Engel	Moe	Symington



Frank	Olson, Barnes	Thompson, Richl'nd
Haag	Schlafmann	Wambheim
Isaak	Schmalenberger	Welk
Levin	Schmidt, Logan	Wolf, McIntosh
Lillehaugen	Schnell	Yirchott
Absent and not voting:		
Arndt	Fitch	Rohrer
Benno	Grenier	Schimke
Bjella	Halcrow	Severson
Boucher	Hofstrand	Smart
Callahan	Langley	Stair
Crockett	Larson	Wollitz
Ekren	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

Rep. Graham moved that the vote by which Senate Bill No. 41 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Dalzell moved that action on House Bills Nos. 29 and 239 be deferred until 7:30 o'clock tonight, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 238. A Bill for an Act Amending and Re-enacting Subsection 3 of Section 30-2004 of the North Dakota Revised Code of 1943 Relating to Compensation Paid Executors or Administrators.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 63; nays, 31; absent and not voting, 18.

Those voting in the affirmative were:

Acheson	Forseth	Mortenson
Allen, Grand Forks	Fraser	Nystrom
Allen, Pierce	Fuglestad	Ohnstad
Anderson	Gainor	Olson, Barnes
Bagge	Graham	Ostgulen
Belzer	Haugland	Pyle
Blair	Heckman	Sailer
Bolmeier	Hegge	Sandness
Brady	Hildre	Saumur
Bureau	Hogoboom	Schnell
Bymers	Hovey	Schwartz
Collette	Johnson, Cass	Seibel
Dalzell	Johnson, Richland	Sellens
Dittmer	Klefstad	Sharpe
Drawz	Leet	Stanley
Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Esterby	Lysne	Thompson, Griggs
Falconer	McInnes	Wambheim
Fitch	Maher	Westby
Fleck	Mork	Mr. Speaker

Those voting in the negative were:

Baumgartner	Levin	Shockman
Bubel	Lillehaugen	Skaar
Devlin	Moe	Sticka
Engel	Moerke	Symington

Frank	Mollet	Thompson, Richl'nd
Haag	Monson	Tuff
Halvorson	Schlafmann	Welk
Haugen	Schmalenberger	Wolf, McIntosh
Herk	Schmidt, Logan	Wolf, Morton
Isaak	Schmidt, Morton	Yirchott
Jennings		

## Absent and not voting:

Arndt	Grenier	Rohrer
Benno	Halcrow	Schimke
Bjella	Hofstrand	Severson
Boucher	Langley	Smart
Callahan	Larson	Stair
Crockett	Olson, Bowman	Wollitz

So the bill passed as amended and the title was agreed to.

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 10; absent and not voting, 12.

## Those voting in the affirmative were:

Acheson	Graham	Mortenson
Allen, Grand Forks	Grenier	Olson, Barnes
Allen, Pierce	Haag	Ostgulen
Anderson	Halvorson	Pyle
Arndt	Haugen	Sailer
Bagge	Haugland	Sandness
Baumgartner	Heckman	Saumur
Belzer	Hegge	Schlafmann
Benno	Herk	Schmalenberger
Blair	Hildre	Schmidt, Logan
Boucher	Hogoboom	Schmidt, Morton
Brady	Hovey	Schnell
Bubel	Isaak	Schwartz
Bureau	Jennings	Seibel
Callahan	Johnson, Cass	Sellens
Collette	Klefstad	Sharpe
Dalzell	Langley	Skaar
Devlin	Leet	Smart
Dittmer	Levin	Stanley
Drawz	Lillehaugen	Sticka
Drovdal	Lindberg	Still
Engel	Luick	Stormon
Esterby	Lysne	Tuff
Falconer	McInnes	Wambheim
Fleck	Maher	Welk
Forseth	Moe	Westby
Frank	Moerke	Wolf, McIntosh
Fraser	Mollet	Wolf, Morton
Fuglestad	Monson	Yirchott
Gainor	Mork	Mr. Speaker

## Those voting in the negative were:

Bolmeier	Nystrom	Symington
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Bymers	Ohnstad	Thompson, Griggs
Ekren	Shockman	Thompson, Richl'nd
Johnson, Richland		

Absent and not voting:

Bjella	Hofstrand	Schimke
Crockett	Larson	Severson
Fitch	Olson, Bowman	Stair
Halcrow	Rohrer	Wollitz

So the bill passed and the title was agreed to.

Rep. Lillehaugen moved that the vote by which House Bill No. 181 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, and Providing Exceptions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 13; absent and not voting, 11.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halvorson	Sailer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schlafmann
Baumgartner	Herk	Schmalenberger
Benno	Hildre	Schmidt, Logan
Bjella	Hovey	Schmidt, Morton
Boucher	Isaak	Schnell
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Sellens
Bureau	Klefstad	Shockman
Callahan	Langley	Skaar
Collette	Leet	Smart
Dalzell	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Richl'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fleck	Mollet	Welk
Forseth	Mork	Westby
Frank	Mortenson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Graham		

Those voting in the negative were:

Belzer	Hegge	Monson
Blair	Hogoboom	Schwartz
Bolmeier	Johnson, Richland	Sharpe
Bymers	Lysne	Still
Devlin		

Absent and not voting:

Crockett	Larson	Severson
Fitch	Olson, Bowman	Stair
Halcrow	Rohrer	Wollitz
Hofstrand	Schimke	

So the bill passed and the title was agreed to.

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

Was read the second time.

Rep. Westby moved that House Bill No. 223 be indefinitely postponed.

The Speaker called Rep. Symington to the chair.

The question was on the motion of Rep. Westby.

Rep. Bergesen offered as a substitute motion that House Bill No. 223 be referred to General Orders for the purpose of amendment, which motion prevailed.

Speaker Bergesen resumed the chair.

Rep. Lindberg moved that the vote by which House Concurrent Resolution "C" was indefinitely postponed be reconsidered.

Rep. Johnson of Richland moved that action on House Concurrent Resolution "C" be made a special order of business at 1:00 o'clock p. m. tomorrow, which motion prevailed.

Rep. Halcrow moved that the courtesies of the floor be extended to Mr. Boyd Renwick of Pembina County, which motion prevailed.

House Bill No. 125. A Bill for an Act Relating to Attorney, Brokerage or Other Fees or Commissions in Funding or Refunding Indebtedness of Counties, Cities, Villages, Townships, and School Districts and Park Districts, and Providing a Penalty for the Violation of This Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 22; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Halcrow	Ostgulen
Anderson	Halvorson	Rohrer
Bagge	Haugen	Sandness
Baumgartner	Haugland	Schlafmann
Belzer	Heckman	Schmalenberger
Benno	Hegge	Schmidt, Logan
Blair	Herk	Schmidt, Morton
Boucher	Hofstrand	Schnell
Bubel	Hogoboom	Schwartz
Bureau	Isaak	Seibel
Bymers	Jennings	Severson
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Dalzell	Leet	Smart
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drovdal	Lindberg	Stormon

Engel	Luick	Symington
Esterby	McInnes	Thompson, Griggs
Falconer	Maher	Thompson, Richl'nd
Forseth	Moe	Tuff
Frank	Moerke	Wambheim
Fraser	Mollet	Welk
Fuglestad	Monson	Wolf, McIntosh
Gainor	Mork	Wolf, Morton
Graham	Mortenson	Wollitz
Grenier	Nystrom	Mr. Speaker
Haag		

Those voting in the negative were:

Allen, Grand Forks	Fleck	Pyle
Allen, Pierce	Hildre	Sailer
Arndt	Hovey	Saumur
Bolmeier	Johnson, Cass	Sellens
Brady	Johnson, Richland	Sharpe
Drawz	Lysne	Westby
Ekren	Olson, Barnes	Yirchott
Fitch		

Absent and not voting:

Bjella	Ohnstad	Stair
Crockett	Olson, Bowman	Stanley
Larson	Schimke	

So the bill as amended passed and the title was agreed to.

House Bill No. 192. A Bill for an Act Requiring Proof by Affidavit of Certain Facts Before Issuance of License for Retail Sale of Beer and Ale by State Tax Commissioner Under Section 5-0203 of the North Dakota Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 63; nays, 43; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Fuglestad	Olson, Barnes
Allen, Grand Forks	Graham	Ostgulen
Allen, Pierce	Grenier	Saumur
Arndt	Halcrow	Sandness
Bagge	Haugen	Schlafmann
Bjella	Haugland	Schmidt, Morton
Blair	Heckman	Seibel
Bolmeier	Hofstrand	Severson
Boucher	Hogoboom	Shockman
Brady	Johnson, Cass	Skaar
Burau	Johnson, Richland	Smart
Callahan	Langley	Stanley
Collette	Leet	Still
Dalzell	Levin	Stormon
Dittmer	Lillehaugen	Symington
Drawz	Lindberg	Thompson, Griggs
Ekren	Luick	Thompson, Richl'nd
Engel	Lysne	Wambheim
Falconer	McInnes	Westby
Fitch	Moe	Wollitz
Fraser	Mork	Mr. Speaker

Those voting in the negative were:

Anderson	Hegge	Rohrer
Baumgartner	Herk	Sailer
Belzer	Hildre	Schmalenberger
Benno	Hovey	Schmidt, Logan
Bubel	Isaak	Schnell
Crockett	Jennings	Schwartz
Devlin	Klefstad	Sellens
Drovdal	Maher	Sharpe
Esterby	Moerke	Sticka
Fleck	Mollet	Tuff
Forseth	Monson	Welk
Frank	Mortenson	Wolf, McIntosh
Gainor	Nystrom	Wolf, Morton
Haag	Pyle	Yirchott
Halvorson		

Absent and not voting:

Bymers	Ohnstad	Schimke
Larson	Olson, Bowman	Stair

So the bill passed and the title was agreed to.

Rep. Leet moved that the title to House Bill No. 192 be amended by inserting the words "North Dakota" between the words "the" and "Revised", which motion prevailed.

Rep. Lillehaugen moved that the vote by which House Bill No. 192 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 108; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sailer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur
Baumgartner	Heckman	Schnell
Belzer	Hegge	Schlafmann
Benno	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Logan
Blair	Hofstrand	Schmidt, Morton
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sellens
Bubel	Jennings	Severson
Bureau	Johnson, Cass	Sharpe
Callahan	Johnson, Richland	Shockman
Collette	Klefstad	Skaar
Crockett	Langley	Smart
Dalzell	Leet	Stair
Devlin	Levin	Stanley

Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Thompson, Rich'nd
Falconer	Moe	Tuff
Fitch	Moerke	Wambheim
Fleck	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Graham	Olson, Barnes	Mr. Speaker

Those voting in the negative were:  
Bymers

Absent and not voting:

Larson                      Olson, Bowman                      Schimke

So the bill as amended passed and the title was agreed to.

Rep. Brady 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.

Rep. Graham: I wish to explain my vote. It is with a great deal of reluctance I am going to vote for this measure as it now stands, providing for an appropriation of \$3,400,000. on account of the fact that the laws of the state of North Dakota provide for a minimum of \$40.00 per month for those receiving old age assistance. On that basis the amendment which was offered in the Committee of the Whole in the sum of \$4,000,000.00 with the funds to be received from the county in the sum of \$600,000 would have meant the sum of \$4,600,000 to be received from the Federal Government and the same from the state and county. And on account of the reduction to \$3,400,000 it will take away from the old age people about \$600,000 of federal funds and \$600,000 from the state and counties leaving the old age people short \$1,200,000 or \$8.00 per month of receiving \$40.00 per month. But, there being no other way I am compelled to vote "aye".

Rep. Heckman: I want the old age clients of our State to know that I will always be fair to their best interests by keeping the appropriation for their care on a solid foundation and within the ability of the taxpayers of North Dakota to pay. I vote "aye".

House Bill No. 239. A Bill for an Act to Provide Immunity from Liability, in the Absence of Negligent Construction or Operation, for Inductive Interference Caused in Communication Circuits by Electric Facilities; to Repeal All Acts and Parts of Acts in Conflict Herewith; and to Declare 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, 66; nays, 43; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Halvorson	Ostgulen
Baumgartner	Haugen	Rohrer
Belzer	Haugland	Sandness
Benno	Hegge	Saumur
Bjella	Hofstrand	Schlafmann
Boucher	Hogoboom	Schmalenberger
Bubel	Hovey	Schmidt, Logan
Bymers	Jennings	Schmidt, Morton
Collette	Johnson, Richland	Schnell
Crockett	Klefstad	Schwartz
Devlin	Leet	Seibel
Dittmer	Levin	Sellens
Drovdal	Lillehaugen	Shockman
Esterby	Lindberg	Skaar
Falconer	Maher	Smart
Fleck	Moe	Stormon
Frank	Moerke	Thompson, Richl'nd
Fraser	Mollet	Tuff
Forseth	Monson	Welk
Graham	Mork	Wolf, Morton
Grenier	Mortenson	Wollitz
Halcrow	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Acheson	Fuglestad	Pyle
Allen, Grand Forks	Gainor	Sailer
Allen, Pierce	Haag	Severson
Arndt	Heckman	Sharpe
Bagge	Herk	Stair
Blair	Hildre	Stanley
Bolmeier	Isaak	Sticka
Brady	Johnson, Cass	Still
Bureau	Langley	Symington
Callahan	Luick	Thompson, Griggs
Dalzell	Lysne	Wambheim
Drawz	McInnes	Westby
Ekren	Nystrom	Wolf, McIntosh
Engel	Ohnstad	Yirchott
Fitch		

Absent and not voting:

Larson	Olson, Bowman	Schimke
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Thompson of Richland moved that the vote by which House Bill No. 239 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Haugen moved that Rep. Johnson of Richland be permitted to vote on House Bill No. 239, which motion prevailed.

Rep. Johnson of Richland voted "aye".

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 4-1005 of the North Dakota Revised Code of 1943 Relative to Labeling, Branding or Tagging Potatoes Being Transported or Offered for Sale or Consignment.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as



amended, the roll was called and there were ayes, 108; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Graham	Ostgulen
Allen, Grand Forks	Grenier	Pyle
Allen, Pierce	Haag	Rohrer
Anderson	Halcrow	Sailer
Arndt	Halvorson	Sandness
Bagge	Haugen	Saumur
Baumgartner	Haugland	Schlafmann
Belzer	Heckman	Schmalenberger
Benno	Hegge	Schmidt, Logan
Bjella	Herk	Schmidt, Morton
Blair	Hildre	Schnell
Bolmeier	Hofstrand	Schwartz
Boucher	Hogoboom	Seibel
Brady	Hovey	Sellens
Bubel	Isaak	Severson
Burau	Jennings	Sharpe
Bymers	Johnson, Cass	Shockman
Callahan	Johnson, Richland	Skaar
Collette	Klefstad	Smart
Crockett	Langley	Stair
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	McInnes	Thompson, Rich'nd
Esterby	Maher	Tuff
Falconer	Moe	Wambheim
Fitch	Moerke	Welk
Fleck	Mollet	Westby
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fraser	Mortenson	Wollitz
Fuglestad	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker

Absent and not voting:

Larson	Olson, Bowman	Schimke
Olson, Barnes		

So the bill passed as amended and the title was agreed to.

Rep. Levin moved that the vote by which House Bill No. 248 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 134. A Bill for an Act Specifying the Term, Interest and Payment of Farm Loans Made by the Commissioner of University and School Lands; and Amending and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 19; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
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Allen, Pierce	Halcrow	Sandness
Anderson	Halvorson	Schlafmann
Bagge	Haugen	Schmalenberger
Baumgartner	Haugland	Schmidt, Logan
Belzer	Heckman	Schmidt, Morton
Benno	Hegge	Schnell
Bjella	Hildre	Schwartz
Boucher	Hofstrand	Seibel
Bubel	Hogoboom	Sellens
Burau	Hovey	Severson
Bymers	Isaak	Shockman
Callahan	Jennings	Skaar
Collette	Klefstad	Smart
Crockett	Langley	Stair
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drovdal	Lindberg	Störmon
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Richl'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Forseth	Monson	Welk
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Gainor	Nystrom	Wollitz
Graham	Ostgulen	Mr. Speaker
Grenier		

Those voting in the negative were:

Arndt	Herk	Sailer
Blair	Johnson, Cass	Saumur
Bolmeier	Luick	Sharpe
Brady	Lysne	Symington
Drawz	Moe	Westby
Fleck	Pyle	Yirchott
Fuglestad		

Absent and not voting:

Allen, Grand Forks	Larson	Olson, Bowman
Fitch	Ohnstad	Schimke
Johnson, Richland	Olson, Barnes	

So the bill passed as amended and the title was agreed to.

Rep. Forseth moved that the vote by which House Bill No. 134 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Correspondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

Was 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, 2; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Graham	Rohrer
Allen, Grand Forks	Grenier	Sailer
Allen, Pierce	Haag	Sandness
Anderson	Halcrow	Saumur
Arndt	Halvorson	Schlafmann
Bagge	Haugen	Schmalenberger
Baumgartner	Haugland	Schmidt, Logan
Belzer	Heckman	Schmidt, Morton
Benno	Hegge	Schnell
Blair	Herk	Schwartz
Bjella	Hildre	Seibel
Bolmeier	Hofstrand	Sellens
Boucher	Hogoboom	Severson
Brady	Hovey	Sharpe
Bubel	Isaak	Shockman
Burau	Jennings	Skaar
Bymers	Johnson, Cass	Smart
Callahan	Johnson, Richland	Stair
Collette	Langley	Stanley
Crockett	Leet	Sticka
Dalzell	Levin	Still
Devlin	Lillehaugen	Stormon
Dittmer	Lindberg	Symington
Drawz	Luick	Thompson, Griggs
Drovdal	Lysne	Thompson, Richl'nd
Ekren	McInnes	Tuff
Engel	Maher	Wambheim
Esterby	Moe	Welk
Falconer	Moerke	Westby
Fitch	Mollet	Wolf, McIntosh
Fleck	Mork	Wolf, Morton
Forseth	Mortenson	Wollitz
Fraser	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor	Ostgulen	

Those voting in the negative were:

Frank Monson

Absent and not voting:

Klefstad	Olson, Barnes	Pyle
Larson	Olson, Bowman	Schimke

So the bill passed and the title was agreed to.

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "Highway Operating Fund" in the State Treasury, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur

Bagge	Haugland	Schlafmann
Baumgartner	Heckman	Schmalenberger
Belzer	Hegge	Schmidt, Logan
Benno	Herk	Schmidt, Morton
Bjella	Hildre	Schnell
Blair	Hofstrand	Schwartz
Bolmeier	Hogoboom	Seibel
Boucher	Hovey	Sellens
Brady	Isaak	Severson
Bubel	Jennings	Sharpe
Burau	Johnson, Cass	Shockman
Bymers	Johnson, Richland	Skaar
Callahan	Langley	Smart
Collette	Leet	Stair
Dalzell	Levin	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Rich'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Ostgulen	Mr. Speaker
Graham		
Absent and not voting:		
Crockett	Larson	Olson, Bowman
Klefstad	Olson, Barnes	Schimke

So the bill passed and the title was agreed to.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 12-4301 of the Revised Codes of North Dakota for 1943 Relating to the Sale of Cigarettes, Tobacco or Snuff to Minors; and Declaring an Emergency.

Was read the second time.

Rep. Bolmeier moved that House Bill No. 250 be indefinitely postponed, which motion prevailed.

Rep. Bolmeier moved that the vote by which House Bill No. 250 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Administration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 13; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Fuglestad	Nystrom
Allen, Grand Forks	Gainor	Ohnstad
Allen, Pierce	Graham	Olson, Barnes
Anderson	Grenier	Ostgulen
Arndt	Haag	Pyle
Bagge	Halcrow	Rohrer
Baumgartner	Halvorson	Sailer
Belzer	Haugland	Sandness
Bjella	Héckman	Saumur
Blair	Hegge	Schlafmann
Bolmeier	Herk	Schmidt, Logan
Boucher	Hildre	Schwartz
Brady	Hofstrand	Sellens
Bureau	Hogoboom	Severson
Bymers	Hovey	Sharpe
Callahan	Isaak	Shockman
Collette	Jennings	Skaar
Crockett	Johnson, Cass	Smart
Dalzell	Johnson, Richland	Stair
Devlin	Langley	Stanley
Dittmer	Leet	Sticka
Drawz	Levin	Still
Drovdal	Lillehaugen	Stormon
Ekren	Lindberg	Symington
Engel	Luick	Thompson, Griggs
Esterby	Lysne	Thompson, Richl'nd
Falconer	McInnes	Wambheim
Fleck	Moerke	Wolf, McIntosh
Forseth	Mollet	Wollitz
Frank	Monson	Yirchott
Fraser	Mortenson	Mr. Speaker

Those voting in the negative were:

Bubel	Mork	Seibel
Fitch	Schmalenberger	Tuff
Haugen	Schmidt, Morton	Welk
Maher	Schnell	Wolf, Morton
Moe		

Absent and not voting:

Benno	Larson	Schimke
Klefstad	Olson, Bowman	Westby

So the bill passed and the title was agreed to.

Rep. Maher moved that the vote by which House Bill No. 275 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 102; nays, 6; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Gainor	Ohnstad
Allen, Grand Forks	Graham	Olson, Barnes

Allen, Pierce	Grenier	Ostgulen
Anderson	Haag	Pyle
Arndt	Halcrow	Rohrer
Bagge	Halvorson	Sailer
Baumgartner	Haugen	Sandness
Belzer	Haugland	Saumur
Benno	Heckman	Schmalenberger
Bjella	Hegge	Schmidt, Logan
Blair	Herk	Schmidt, Morton
Bolmeier	Hildre	Schnell
Boucher	Hofstrand	Schwartz
Brady	Hogoboom	Seibel
Burau	Hovey	Sellens
Bymers	Jennings	Severson
Callahan	Johnson, Cass	Sharpe
Collette	Johnson, Richland	Shockman
Crockett	Langley	Skaar
Dalzell	Leet	Smart
Devlin	Levin	Stair
Dittmer	Lillehaugen	Stanley
Drawz	Lindberg	Sticka
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Tuff
Falconer	Moe	Wambheim
Fitch	Moerke	Welk
Fleck	Mollet	Westby
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fraser	Mortenson	Yirchott
Fuglestad	Nystrom	Mr. Speaker

Those voting in the negative were:

Rubel	Schlafmann	Thompson, Richl'pd
Isaak	Still	Wollitz
Absent and not voting:		
Klefstad	Olson, Bowman	Schimke
Larson		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

Was read the second time.

And the House entered into debate.

Rep. Johnson of Cass having already spoken twice on House Bill No. 259, asked the consent of the House to have the floor the third time.

On a voice vote the Chair was in doubt.

On a rising vote the consent of the House was granted.

Rep. Fitch moved that House Bill No. 259 be re-referred to the Committee on Counties, which motion prevailed.

House Bill No. 258. A Bill for an Act Providing for Cut-

ting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township supervisors, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act County, State and Federal Highways, and Repealing All Laws and Parts of Laws in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 75; nays, 30; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Frank	Ohnstad
Allen, Grand Forks	Fraser	Sailer
Allen, Pierce	Gainor	Saumur
Anderson	Graham	Schlafmann
Arndt	Haag	Schmalenberger
Bagge	Halcrow	Schmidt, Logan
Baumgartner	Halvorson	Schmidt, Morton
Belzer	Haugen	Schnell
Benno	Haugland	Sellens
Blair	Hegge	Severson
Bolmeier	Hildre	Smart
Brady	Hogoboom	Stair
Bubel	Hovey	Stanley
Callahan	Johnson, Cass	Sticka
Collette	Johnson, Richland	Stormon
Dalzell	Langley	Symington
Devlin	Levin	Thompson, Griggs
Drawz	Luick	Tuff
Drovdal	McInnes	Wambheim
Ekren	Maher	Welk
Esterby	Moerke	Westby
Falconer	Mollet	Wolf, McIntosh
Fitch	Monson	Wollitz
Fleck	Mork	Yirchott
Forseth	Mortenson	Mr. Speaker

Those voting in the negative were:

Boucher	Hofstrand	Pyle
Burau	Isaak	Sandness
Bymers	Jennings	Schwartz
Crockett	Leet	Seibel
Dittmer	Lindberg	Sharpe
Engel	Lysne	Shockman
Fuglestad	Moe	Skaar
Grenier	Nystrom	Still
Heckman	Olson, Barnes	Thompson, Richl'nd
Herk	Ostgulen	Wolf, Morton

Absent and not voting:

Bjella	Lillehaugen	Rohrer
Klefstad	Olson, Bowman	Schimke
Larson		

So the bill passed and the title was agreed to.

Rep. Dalzell moved that the title of House Bill No. 258 be amended as follows: In the last line of the title strike out the period after the word "highways" and insert in lieu

thereof a semi-colon and the words "repealing all laws and parts of laws in conflict herewith," which motion prevailed.

Rep. Dalzell moved that the vote by which House Bill No. 258 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Halcrow moved that the House recess until 12:30 o'clock p.m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.



FORTY-SIXTH DAY AFTER RECESS  
AND FORTY-SEVENTH DAY

Bismarck, February 17, 1945

The House reconvened at 12:30 o'clock p.m., pursuant to recess taken, Speaker Bergesen presiding.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 15.

In line 33 of the original bill, after the word Buildings and the colon, add the following:

(To be constructed only on Authorization by the Budget Board of the State of North Dakota)

Rep. Lillehaugen moved that the House concur in the Senate amendments to House Bill No. 15, which motion prevailed.

Rep. Levin moved that the rules be suspended and House Bill No. 15 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Acheson	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugen	Saumur
Arndt	Haugland	Schimke
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sellens
Burau	Jennings	Severson
Bymers	Johnson, Cass	Sharpe
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Crockett	Larson	Smart
Dalzell	Levin	Stair

Drovdal	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Lysne	Still
Ekren	Moe	Stormon
Engel	Mollet	Symington
Esterby	Monson	Thompson, Griggs
Falconer	Mork	Thompson, Rich'nd
Fitch	Ohnstad	Tuff
Fleck	Mortenson	Wambheim
Forseth	Nystrom	Welk
Frank	Olson, Barnes	Westby
Fraser	Olson, Bowman	Wolf, McIntosh
Fuglestad	Ostgulen	Wollitz
Gainor	Pyle	Yirchott
Graham		Mr. Speaker
Absent and not voting:		
Allen, Grand Forks	Haag	Maher
Benno	Johnson, Richland	Moerke
Bubel	Leet	Rohrer
Devlin	Luick	Wolf, Morton
Grenier	McInnes	

So the bill passed as amended and the title was agreed to.

The House was on the Seventh Order of Business.

Rep. Johnson of Richland moved that the vote by which House Bill No. 214 was indefinitely postponed be reconsidered, which motion prevailed.

Rep. Graham moved that House Bill No. 214 be re-referred to the Committee on Public Welfare, which motion prevailed.

Rep. Fitch moved that House Bill No. 223 be re-referred to the Committee on Highways and Bridges, which motion prevailed.

Rep. Sailer moved that House Bill No. 237 be withdrawn, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

##### House Bill No. 16.

In line 40 of the original bill, after the word Buildings and the colon, add the following:

(To be constructed only on Authorization by the Budget Board of the State of North Dakota)

Rep. Lillehaugen moved that the House concur in the Senate amendments to House Bill No. 16, which motion prevailed.

Rep. Levin moved that the rules be suspended and House Bill No. 16 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Graham	Pyle
Allen, Pierce	Halcrow	Rohrer

Allen, Grand Forks	Haugen	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schimke
Baumgartner	Hegge	Schlafmann
Belzer	Herk	Schmalenberger
Benno	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Hovey	Schwartz
Boucher	Isaak	Seibel
Brady	Jennings	Sellens
Bubel	Johnson, Richland	Severson
Bureau	Klefstad	Sharpe
Bymers	Langley	Shockman
Callahan	Larson	Skaar
Collette	Leet	Smart
Crockett	Levin	Stair
Dalzell	Lillehaugen	Stanley
Devlin	Lindberg	Sticka
Dittmer	Luick	Still
Drawz	Lysne	Stormon
Drovdal	McInnes	Symington
Ekren	Moe	Thompson, Griggs
Engel	Moerke	Tuff
Esterby	Mollet	Wambheim
Falconer	Monson	Welk
Fitch	Mork	Westby
Fleck	Mortenson	Wolf, McIntosh
Frank	Nystrom	Wolf, Morton
Fraser	Ohnstad	Wollitz
Forseth	Olson, Barnes	Yirchott
Fuglestad	Olson, Bowman	Mr. Speaker
Gainor	Ostgulen	
Absent and not voting:		
Grenier	Johnson, Cass	Thompson, Richl'nd
Haag	Maher	

So the bill passed as amended and the title was agreed to.

House Bill No. 23.

In line 35 of the original bill after the word Buildings and the colon, add the following:

(To be Constructed only on Authorization by the Budget Board of the State of North Dakota)

Rep. Lillehaugen moved that the House concur in the Senate amendments to House Bill No. 23, which motion prevailed.

Rep. Lillehaugen moved that the rules be suspended and House Bill No. 23 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sailer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Boucher	Hogoboom	Schwartz
Brady	Hovey	Seibel
Bubel	Isaak	Sellens
Bureau	Jennings	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Crockett	Larson	Smart
Dalzell	Leet	Stair
Devlin	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Bowman	Mr. Speaker
Graham		

Absent and not voting:

Bolmeier	Maher	Schimke
Johnson, Cass	Olson, Barnes	Thompson, Rich'nd

So the bill passed as amended and the title was agreed to.  
House Bill No. 37.

In line 22 of the original bill strike out the words "sixty percent (60%)" and insert in lieu thereof "fifty percent (50%)".

Rep. Hovey moved that the House concur in the Senate amendments to House Bill No. 37.

Rep. Blair offered as a substitute motion that the House do not concur in the Senate amendments to House Bill No. 37, which motion prevailed.

Rep. Graham moved that a conference committee of three be appointed to confer with a like committee from the Senate on House Bill No. 37, which motion prevailed.

The Speaker appointed Reps. Blair, Hovey and Levin.

House Bill No. 51.

In the title of the bill, strike out the words "through a mis-

interpretation of Section 57-2826 of the North Dakota Revised Code of 1943;".

In line 5 of the title of the bill, after the word "Dakota" and the comma, insert the word "and".

Strike out everything after the title of the bill down to the enacting clause.

Strike out the last word in line 8, strike out all of line 9, strike out all of line 10, and in line 11, strike out the following: "of March, 1943".

Rep. Drovdal moved that the House concur in the Senate amendments to House Bill No. 51, which motion prevailed.

Rep. Drovdal moved that the rules be suspended and House Bill No. 51 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 111; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Acheson	Grenier	Olson, Bowman
Allen, Grand Forks	Haag	Ostgulen
Allen, Pierce	Halcrow	Pyle
Anderson	Halvorson	Rohrer
Arndt	Haugen	Sailer
Bagge	Haugland	Sandness
Baumgartner	Heckman	Saumur
Belzer	Hegge	Schimke
Benno	Herk	Schlafmann
Bjella	Hildre	Schmalenberger
Blair	Hofstrand	Schmidt, Logan
Bolmeier	Hogboom	Schmidt, Morten
Boucher	Hovey	Schnell
Brady	Isaak	Schwartz
Bubel	Jennings	Seibel
Burau	Johnson, Cass	Sellens
Bymers	Johnson, Richland	Severson
Callahan	Klefstad	Sharpe
Collette	Langley	Shockman
Crockett	Larson	Skaar
Dalzell	Leet	Smart
Devlin	Levin	Stair
Dittmer	Lillehaugen	Stanley
Drawz	Lindberg	Sticka
Drovdal	Luick	Still
Ekren	Lysne	Stormon
Engel	McInnes	Symington
Esterby	Maher	Thompson, Griggs
Falconer	Moe	Tuff
Fitch	Moerke	Wambheim
Fleck	Mollet	Welk
Forseth	Monson	Westby

Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Graham	Olson, Barnes	Mr. Speaker

Absent and not voting:

Thompson, Richl'nd

So the bill passed as amended and the title was agreed to.  
House Bill No. 81.

In line 2, after the word "monies" insert "in the equalization fund".

Rep. Sticka moved that the House concur in the Senate amendments to House Bill No. 81, which motion prevailed.

Rep. Welk moved that the rules be suspended and House Bill No. 81 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 112; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Halvorson	Rohrer
Anderson	Haugen	Sailer
Arndt	Haugland	Sandness
Bagge	Heckman	Saumur
Baumgartner	Hegge	Schimke
Belzer	Herk	Schlafmann
Benno	Hildre	Schmalenberger
Bjella	Hofstrand	Schmidt, Logan
Blair	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Schnell
Boucher	Isaak	Schwartz
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Sellens
Bureau	Johnson, Richland	Severson
Bymers	Klefstad	Sharpe
Callahan	Langley	Shockman
Collette	Larson	Skaar
Crockett	Leet	Smart
Dalzell	Levin	Stair
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Luick	Still
Drovdal	Lysne	Stormon
Ekren	McInnes	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Richl'nd
Falconer	Moerke	Tuff
Fitch	Mollet	Wambheim
Fleck	Monson	Welk
Forseth	Mork	Westby
Frank	Mortenson	Wolf, McIntosh

Fraser	Nystrom	Wolf, Morton
Fuglestad	Ohnstad	Wollitz
Gainor	Olson, Barnes	Yirchott
Graham	Olson, Bowman	Mr. Speaker
Grenier		

So the bill passed as amended and the title was agreed to.

Speaker Bergesen: The roll call on final passage of House Bill No. 147 was ayes, 58; nays, 50; absent and not voting, 4.

House Bill No. 147 is an amendment of certain initiated measures and consequently requires a two-thirds vote of the members-elect.

The Speaker ruled that House Bill No. 147 passed—that was an error and the Speaker now rules that House Bill No. 147 was lost and directs that any reference to any actions taken by the House with reference to House Bill No. 147 following that ruling be stricken in view of the fact it would not have any basis on which to stand.

Rep. Hogoboom moved that the vote by which House Bill No. 147 was lost be reconsidered.

Rep. Wolf of McIntosh moved that the motion of Rep. Hogoboom be laid on the table.

A roll call was demanded.

#### ROLL CALL

The question being on the motion of Rep. Wolf of McIntosh, the roll was called and there were ayes, 39; nays, 73; absent and not voting, 0.

Those voting in the affirmative were:

Acheson	Fraser	Mollet
Anderson	Gainor	Mork
Arndt	Grenier	Schimke
Bagge	Haag	Schmalenberger
Baumgartner	Halvorson	Schmidt, Logan
Belzer	Hegge	Schmidt, Morton
Benno	Herk	Schwartz
Boucher	Isaak	Seibel
Bubel	Jennings	Shockman
Collette	Klefstad	Stair
Devlin	Larson	Welk
Drovdal	Maher	Wolf, McIntosh
Frank	Moerke	Yirchott

Those voting in the negative were:

Allen, Grand Forks	Heckman	Rohrer
Allen, Pierce	Hildre	Sailer
Bjella	Hofstrand	Sandness
Blair	Hogoboom	Saumur
Bolmeier	Hovey	Schlafmann
Brady	Johnson, Cass	Schnell
Burau	Johnson, Richland	Sellens
Bymers	Langley	Severson
Callahan	Leet	Sharpe
Crockett	Levin	Skaar
Dalzell	Lillehaugen	Smart
Dittmer	Lindberg	Stanley
Drawz	Luick	Sticka
Ekren	Lysne	Still
Engel	McInnes	Stormon
Esterby	Moe	Symington

Falconer	Monson	Thompson, Griggs
Fleck	Mortenson	Thompson, Rich'nd
Fitch	Nystrom	Tuff
Forseth	Ohnstad	Wambheim
Fuglestad	Olson, Barnes	Westby
Graham	Olson, Bowman	Wolf, Morton
Halcrow	Ostgulen	Wollitz
Haugen	Pyle	Mr. Speaker
Haugland		

So the motion was lost.

The question was on the motion of Rep. Hogoboom to reconsider action on House Bill No. 147, which motion prevailed.

Rep. Hogoboom moved that House Bill No. 147 be referred to the Committee on Temperance, which motion prevailed.

The Speaker ruled that in declaring the emergency clause carried on the final passage of House Bill No. 239, he was in error. The vote was ayes, 66; nays, 43; absent and not voting, 3, which does not give it a two-thirds vote of the members and therefore the Speaker ruled that the emergency clause on House Bill No. 239 was lost.

Rep. Lindberg moved that House Concurrent Resolution "C" be reconsidered.

On a voice vote the chair was in doubt.

A roll call was demanded.

#### ROLL CALL

The question being on the motion of Rep. Lindberg, the roll was called and there were ayes, 56; nays, 56; absent and not voting, 0.

Those voting in the affirmative were:

Acheson	Halyorson	Ostgulen
Anderson	Haugen	Rohrer
Baumgartner	Haugland	Sandness
Belzer	Hegge	Schimke
Boucher	Hofstrand	Schlafmann
Bubel	Isaak	Schmalenbergér
Bymers	Jennings	Schmidt, Logan
Crockett	Larson	Schmidt, Morton
Devlin	Levin	Schnell
Drovdal	Lillehaugen	Schwartz
Engel	Lindberg	Seibel
Esterby	Maher	Shockman
Falconer	Moerke	Stair
Forseth	Mollet	Still
Frank	Monson	Tuff
Fraser	Mork	Welk
Graham	Mortenson	Wolf, McIntosh
Grenier	Ohnstad	Wolf, Morton
Haag	Olson, Bowman	

Those voting in the negative were:

Allen, Grand Forks	Gainor	Sailer
Allen, Pierce	Halcrow	Saumur
Arndt	Heckman	Sellens
Bagge	Herk	Severson
Benno	Hildre	Sharpe
Bjella	Hogoboom	Skaar
Blair	Hovey	Smart



Bolmeier	Johnson, Cass	Stanley
Brady	Johnson, Richland	Sticka
Burau	Klefstad	Stormon
Callahan	Langley	Symington
Collette	Leet	Thompson, Griggs
Dalzell	Luick	Thompson, Richl'nd
Dittmer	Lysne	Wambheim
Drawz	McInnes	Westby
Ekren	Moe	Wollitz
Fitch	Nystrom	Yirchott
Fleck	Olson, Barnes	Mr. Speaker
Fuglestad	Pyle	

So the motion was lost.

Speaker Bergesen: I wish to explain my vote. I don't believe in instructing someone else how to vote when one doesn't know how to vote himself. This matter of the uses of the waters of the Missouri River covers so many angles that I doubt if any member of this House knows how it is to be handled. There are several bills before congress now, probably there will be several more. If there were a resolution introduced in this House asking us to instruct our representatives in congress to vote against the MVA, I would be opposed to it. I am as much opposed to a resolution instructing them to vote for such a proposition until we have the full facts and can know what we are voting on. I think that the representatives in congress to whom the full facts are being and will be presented are in the best position to judge for themselves what is best for the people of the State of North Dakota. I, therefore, vote "no".

Rep. Bolmeier moved that the absent members be excused, which motion prevailed.

Rep. Olson of Bowman moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

#### FORTY-SEVENTH DAY

Bismarck, February 17, 1945

The House convened at 2:00 o'clock p.m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. G. W. Stewart.

Roll call: All members present.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-Fourth Day After Recess and Forty-Fifth Day and recommends that the same be corrected as follows:

In line 16 on page 552, change the word "minority" to read "majority".

In the 17th line from the bottom of page 561, correct "House Bill No. 251" to read "House Bill No. 151".

In the first line on page 600, change the word "comma" to "semi-colon".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

**MESSAGES TO THE SENATE**

House of Representatives  
Bismarck, February 17, 1945

Mr. President: I have the honor to transmit:

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

House Bill No. 125. A Bill for an Act Relating to Attorney, Brokerage or Other Fees or Commissions in Funding or Refunding Indebtedness of Counties, Cities, Villages, Townships, and School Districts and Park Districts, and Providing a Penalty for the Violation of This Act.

House Bill No. 134. A Bill for an Act Specifying the Term, Interest and Payment of Farm Loans Made by the Commissioner of University and School Lands; and Amending and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 26-0107 of the Revised Codes of North Dakota for 1943 Regarding Examination of Insurance Companies; and Declaring an Emergency.

House Bill No. 178. A Bill for an Act to Amend and Re-enact Section 54-1304 of the North Dakota Revised Code of 1943, Relating to the Examination and Audit of State Departments and Institutions of Higher Education by the Board of Auditors.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, and Providing Exceptions.

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

House Bill No. 192. A Bill for an Act Requiring Proof by Affidavit of Certain Facts Before Issuance of License for Retail Sale of Beer and Ale by State Tax Commissioner Under Section 5-0203 of the North Dakota Revised Code of 1943.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 17, 1945

Mr. President: I have the honor to transmit:

House Bill No. 194. A Bill for an Act Authorizing Administration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the Armed Forces of the United States of America; Declaring

Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

House Bill No. 207. A Bill for an Act to Freeze License Fees on Passenger Motor Vehicles and Trucks at the Same Tax as Paid for the Year 1945 During the Years 1946 and 1947.

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

House Bill No. 238. A Bill for an Act Amending and Re-enacting Subsection 3 of Section 30-2004 of the North Dakota Revised Code of 1943 Relating to Compensation Paid Executors or Administrators.

House Bill No. 239. A Bill for an Act to Provide Immunity from Liability, in the Absence of Negligent Construction or Operation, for Inductive Interference Caused in Communication Circuits by Electric Facilities; to Repeal All Acts and Parts of Acts in Conflict Herewith; and to Declare an Emergency.

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "Highway Operating Fund" in the State Treasury, and Declaring an Emergency.

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 4-1005 of the North Dakota Revised Code of 1943 Relative to Labeling, Branding or Tagging Potatoes Being Transported or Offered for Sale or Consignment.

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township supervisors, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act County, State and Federal Highways, and Repealing All Laws and Parts of Laws in Conflict Herewith.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 17, 1945

Mr. President: I have the honor to transmit:

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Administration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Corre-

spondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

House Concurrent Resolution "M." Memorializing the Congress of the United States to Enact Legislation Permitting the Cancellation of Outstanding Feed and Seed Loans by Payment of Twenty-five Per Cent of the Principal.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 17, 1945

Mr. President: I have the honor to return:

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Organized Townships, Villages and Cities of the State of North Dakota.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 182, have had the same under consideration and recommend that the same be referred to the Committee on Insurance.

REP. FITCH, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: The majority of your Committee on Agriculture to whom was referred House Bill No. 224, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BYMERS  
REP. DALZELL  
REP. DRAWZ  
REP. HOGOBOOM  
REP. MOE  
REP. PYLE  
REP. ENGEL

REP. BYMERS, Chairman.

Mr. Speaker: The minority of your Committee on Agriculture to whom was referred House Bill No. 224, have had the same under consideration and recommend that the same do pass.

REP. GAINOR  
REP. MAHER  
REP. BAUMGARTNER

Rep. Byemers moved that the report of the majority be adopted.

Rep. Maher offered as a substitute motion that the report of the minority be substituted for the report of the majority.

On a voice vote the chair was in doubt.

A rising vote revealed 37 voting for and 56 voting against, so the motion was lost.

The question was on the adoption of the majority report, which motion prevailed and House Bill No. 224 was indefinitely postponed.

Rep. Bolmeier moved that House Bill No. 182 be indefinitely postponed, which motion prevailed.

Rep. Crockett moved that the vote by which House Bill No. 182 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Schnell asked for the special privilege of making a presentation to the Speaker from the rostrum, which privilege was granted.

Rep. Schnell: Mr. Speaker: On behalf of the cattle growers and livestock breeders of Western North Dakota, I have the pleasure of presenting to you this gavel. It was made by our instructor of manual training at the Dickinson Normal School. It is made out of red cedar—Badlands cedar—and we hope that you make good use of this gavel and if any of the boys are opposed to any legislation for the benefit of the cattle growers in North Dakota, that you will rule them out of order with it. I feel really, Mr. Bergesen, that the gavel was made for me. I have an idea when the boys made it they thought I was going to be Speaker of the House and it is lucky my name was not carved on it. But I present this to you and it gives me great pleasure to do so for your fairness in dealing with both factions and I know that you will continue to do that during the balance of the session.

Speaker Bergesen:

Rep. Schnell: I don't know how I can express my deep appreciation for this act of courtesy on your part and this very fine deed on the part of the people whom you represent. I look upon it as a token of what we really all believe in—and that is that we are all for the State of North Dakota regardless of whether we make our livelihood in the western part or eastern part of the State. And, that this gavel is an indication of the motive behind it all—that we shall get together and I hope and feel satisfied that it will play its part in continuing and carrying on the spirit of harmony and good feeling that we have had together in all factions throughout the session and it will continue throughout the balance of the session. Now I am going to ask you as "almost speaker of the House" to be the first one to take the gavel and to sound the gavel and have the House arise by three raps and then I will seat them with one.

Rep. Fitch moved that the remarks of the Speaker and the 'near Speaker' be printed in the Journal, which motion prevailed.

Rep. Bagge moved that action on House Bills Nos. 161 and 162 be deferred one legislative day, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 17, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 15-16-23-51-81.

KENNETH L. MORGAN, Chief Clerk.

## MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 17, 1945

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of House Bills No. 16-20-23-116-117-118.

W. J. TROUT, Secretary.

Rep. Symington moved that the request of the Senate be granted on House Bills Nos. 16, 20, 23, 116, 117 and 118 be returned, which motion prevailed.

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 17, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 37 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Blair, Hovey and Levin.

KENNETH L. MORGAN, Chief Clerk.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 246, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BYMERS, Chairman.

Rep. Drawz moved that the report be adopted.

Rep. Schnell offered as a substitute motion that House Bill No. 246 be placed on the calendar, which motion was lost.

The question was on the motion to adopt the report of the Committee, which motion prevailed and House Bill No. 246 was indefinitely postponed.

Mr. Speaker: Your Committee on Public Health, to whom was referred House Bill No. 195, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. NYSTROM, Chairman.

Rep. Benno moved that the report be adopted.

Rep. Schnell offered as a substitute motion that House Bill No. 195 be placed in General Orders for the purpose of offering the following proposed amendments: After the word "law" in line 10 strike out the comma and insert "including as to what constitutes first, second and third grade meats"; Strike out line 19 and everything thru line 35 and insert the following: "It shall be the duty of all public eating places to designate by printed or written word on the menu, in a manner equally conspicuous with and immediately adjoining each item of meat offered for sale, whether such meat is first, second or third grade meat.

The violation of this Act shall be deemed a misdemeanor and punishable by a fine of not more than One Hundred Dollars (\$100.00) or thirty (30) days in jail."

Which motion prevailed and House Bill No. 195 was placed in General Orders.

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 17, 1945

Mr. President: I have the honor to return:

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

Which the Senate has requested.

KENNETH L. MORGAN, Chief Clerk.

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 259, have had the same under consideration and recommend that the same do pass.

REP. SMART, Chairman.

Rep. Devlin moved that the report be adopted.

Rep. Johnson of Cass offered as a substitute motion that House Bill No. 259 be indefinitely postponed.

The Speaker called Rep. Crockett to the chair.

The Speaker resumed the chair.

The question was on the substitute motion of Rep. Johnson of Cass, which motion was lost.

The question then was on the motion to adopt the report of the Standing Committee, which motion prevailed and House Bill No. 259 was placed on the calendar.

Rep. Johnson of Richland moved that we recess for twenty minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

Mr. Speaker: Your Committee on Public Debt to whom was referred House Bill No. 150, have had the same under consideration and return the same without recommendation.

REP. HILDRE, Chairman.

Rep. Forseth moved that House Bill No. 150 be placed in General Orders, which motion prevailed.

Mr. Speaker: Your Committee on Public Debt to whom

was referred House Concurrent Resolution "L", have had the same under consideration and return the same without recommendation.

REP. HILDRE, Chairman.

Rep. Forseth moved that House Concurrent Resolution "L" be placed on the calendar and further action deferred until House Bill No. 150 has been acted upon, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 17, 1945

Mr. Speaker: I have the honor to inform you that the Senate has appointed as a Conference Committee to act with a like Committee from the House on House Bill No. 37: Senators Bond, Morgan and Bridston.

W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 203 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.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 244, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Cass, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 282, 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. Sandness moved that House Bills Nos. 222, 161 and 162 be re-referred to the Committee on Highways and Bridges, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 83, have had the same under consideration and recommend that the same be amended as follows:

Line 4—Strike out the figure "7" and insert in lieu thereof the figure "5". Insert a new line as follows:

"42a It shall take over and perform the powers and duties of the Post War Planning Board".

Line 59—After the word "witnesses," strike out the word "either".

Line 60—After the words "residing within" strike out the words "or without".

Line 141—Strike out the figures "\$25,000" and insert in lieu thereof the figures "\$20,000.00".

And further amend by renumbering the lines.



And when so amended recommend the same be referred to General Orders.

REP. JOHNSON of Cass, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 279, have had the same under consideration and recommend that the same be amended as follows:

Strike out in their entirety lines 15, 16, 17 and 18 of the bill and substitute in lieu thereof the following:

"Provided, however, in the case of the county road and bridge fund, the proportion of such available surplus which was derived from direct property tax shall be deducted. (Period) Such deduction shall be that proportion of the total road and bridge fund available for any year which the direct property tax for that year bears to the total fund."

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Wolf of McIntosh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 225, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BYMERS, Chairman.

Rep. Dalzell 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. 278, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, 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. 277, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, 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. 276, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, 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. 220, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. McInnes 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. 190, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Bjella 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. 114, have had the same under consideration and recommend that the same be amended as follows:

In the title to the bill, on line 2 strike out the words "wages, salaries and commissions". On line 3 of the title strike out the word "including", and after the word "penalties" add the words "on wages". In line 4 of the title strike out the word "thereon". In line 2 of the bill strike out the word "wages". In line 4 of the bill strike out the words "overtime, damages, fees, and penalties".

And when so amended recommend the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Nystrom 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. 97, have had the same under consideration and recommend that the same be amended.

Rep. McInnes moved that the report be adopted, which motion prevailed and the report was adopted.

REP. JOHNSON of Richland, Chairman.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 96, have had the same under consideration and recommend that the same be amended.

REP. JOHNSON of Richland, Chairman.

Rep. McInnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 281, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Sellens moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 185, have had the same under consideration and recommend that the same be amended as follows:

In line 11 after the word "between" strike out the rest of the sentence and insert the following: "the 15th day of June and the 15th day of". In line 12 strike out the numerals and letters "15th" and insert in lieu thereof the numeral and letters "1st.". In line 23 after the word "writing" and before the word "by" insert the following: "by personal service or". In line 30 after the word "the" strike out the rest of the sentence and insert the following: "15th day of June and 15th day of July." And in line 31 strike out the numerals and letters "15th" and insert in lieu thereof the numeral and letters "1st" and renumber the lines.

And when so amended recommend the same do pass.

REP. OLSON of Barnes, Chairman.

Rep. Yirchott moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Banks and Banking to

whom was referred House Bill No. 243, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. CALLAHAN, Chairman.

Rep. Arndt 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 Concurrent Resolution "V", 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 Banks and Banking to whom was referred House Bill No. 233, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. CALLAHAN, Chairman.

Rep. Drovdal moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: The majority of your Committee on Tax and Tax Laws to whom was referred House Bill No. 133, have had the same under consideration and recommend that the same be amended as follows:

In line 41 of the Bill, after the word "repairs" insert a comma and the following words: "including necessary costs of acquiring and clearing titles".

And when so amended recommend the same do pass.

REP. HOVEY  
 REP. DROVDAL  
 REP. BYMERS  
 REP. HAUGEN  
 REP. WOLF of McIntosh  
 REP. MOLLET  
 REP. STILL  
 REP. SEIBEL

Mr. Speaker: The minority of your Committee on Tax and Tax Laws to whom was referred House Bill No. 133, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES  
 REP. ARNDT  
 REP. GAINOR  
 REP. SKAAR  
 REP. DITMER  
 REP. SHARPE  
 REP. LANGLEY  
 REP. McINNES, Chairman.

Rep. Sharpe moved that the report be adopted.

Rep. McInnes offered as a substitute motion that the report of the minority be substituted for the report of the majority.

#### MESSAGES FROM THE SENATE

Senate Chamber  
 Bismarck, February 17, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 60. A Bill for an Act Relating to War

**Emergency Fund Levies in Villages and Repealing All Acts or Parts of Acts in Conflict Therewith.**

House Bill No. 152. A Bill for an Act Amending and Re-enacting Section 40-0706 of the North Dakota Revised Code of 1943 Relating to Compensation of Village Trustees, and Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.  
Senate Chamber

Bismarck, February 17, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 34-0606 of the North Dakota Revised Code of 1943 Relating to the Hours of Labor of Females Within This State in Certain Commercial Establishments and in State Institutions.

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 57-1508 of the North Dakota Revised Code of 1943 Relating to Tax Levy Limitations in Cities, and Declaring an Emergency.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Senate Bill No. 155. A Bill for an Act to Permit a Levy of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Sub-section 10 of Section 7-0208 of the North Dakota Revised Code of 1943, Relating to Loans and Investments of Building and Loan Associations, and Declaring an Emergency.

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Senate Bill No. 193. A Bill for an Act Requiring Reports to the State Auditor of Sales of Tractor Fuel as Defined in Sections 19-1001 and 19-1011 of the North Dakota Revised Code of 1943.

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 57-4101 of the North Dakota Revised Code of 1943, Relating to the Definition of Motor Vehicle Fuels.

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.

Senate Concurrent Resolution No. 12. A Concurrent Resolution Memorializing the Interstate Commerce Commission and the Public Service Commission of the State of North Dakota to Take Steps to Remove the Discrimination Now Existing Against the North Dakota Shippers of Grain.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 17, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; and Repealing all Acts or Parts of Acts in Conflict Herewith.

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

The question was on the substitute motion of Rep. McInnes that House Bill No. 133 be indefinitely postponed, which motion prevailed.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 56.

House Bill No. 50.

House Bill No. 101.

And find the same correctly Enrolled.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 186.

And find the same correctly Engrossed.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 134.

House Bill No. 192.

House Bill No. 212.

House Bill No. 229.

House Bill No. 242.

House Bill No. 258.

And find the same correctly Engrossed.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

## FIRST READING OF HOUSE RESOLUTIONS

Reps. Blair, Saumur and Allen of Grand Forks introduced:

## HOUSE RESOLUTION NO. 1

Introduced by Reps. Blair, Saumur, and Allen of Grand Forks  
Pay for Representative Boulden.

1 WHEREAS, the Honorable K. L. Boulden, a  
2 member of this House from the 5th Legislative  
3 District, on January 27th, 1945, passed to the  
4 Great Beyond;  
5 BE IT RESOLVED that he be shown by the  
6 records of this House as excused for this session  
7 and his name be omitted in reading the roll call;  
8 But that his name be continued upon the payroll as  
9 a member of this body; that the Chief Clerk be  
10 hereby authorized and directed to sign the  
11 Legislative payroll for and in the name of said  
12 deceased member, and that warrants be issued  
13 in payment of mileage and per diem of said  
14 K. L. Boulden, our said fellow Member, be made out  
15 in the name of his widow, Mrs. K. L. Boulden; and  
16 that the same be by the House Voucher Clerk  
17 forwarded to her at Larimore, North Dakota.

Rep. Falconer moved that House Resolution No. 1 be  
adopted, which motion prevailed.

Rep. Fitch introduced:

## HOUSE RESOLUTION NO. 2

Introduced by Representative Fitch

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-  
TIVES OF THE STATE OF NORTH DAKOTA:

1 WHEREAS, Representatives Saumur, Blair, and Allen  
2 represented this legislative assembly at the burial  
3 of Representative K. L. Boulden, and having expended  
4 necessary traveling expenses and subsistence;  
5 NOW, THEREFORE, BE IT RESOLVED by the House  
5a of  
6 Representatives of the State of North Dakota, that said  
7 representatives be reimbursed for the expenditures made  
8 and that there is hereby appropriated as legislative  
9 expense the sum of \$57.45; to be paid to Representative  
10 Saumur \$9.90, to Representative Blair \$9.90, and to  
11 Representative Allen \$37.65.

Rep. Crockett moved that House Resolution No. 2 be  
adopted.

## ROLL CALL

The question being on the adoption of House Resolution  
No. 2, the roll was called and there were ayes, 101; nays, 0;  
absent and not voting, 8; passed, 3.

Those voting in the affirmative were:

Acheson	Halcrow	Ostgulen
Allen, Pierce	Halvorson	Pyle
Anderson	Haugen	Rohrer
Arndt	Haugland	Sailer
Bagge	Heckman	Sandness
Baumgartner	Hegge	Schimke
Belzer	Herk	Schlafmann
Bjella	Hildre	Schmidt, Logan
Boucher	Hofstrand	Schmidt, Morton

Brady	Hogoboom	Schnell
Bubel	Hovey	Schwartz
Bureau	Isaak	Seibel
Bymers	Jennings	Sellens
Callahan	Johnson, Cass	Severson
Collette	Johnson, Richland	Sharpe
Crockett	Klefstad	Shockman
Dalzell	Langley	Skaar
Devlin	Larson	Stanley
Dittmer	Leet	Sticka
Drawz	Levin	Still
Drovdal	Lillehaugen	Stormon
Engel	Lindberg	Symington
Esterby	Luick	Thompson, Griggs
Falconer	Lysne	Thompson, Rich'nd
Fitch	McInnes	Tuff
Fleck	Maher	Wambheim
Forseth	Moe	Welk
Frank	Moerke	Westby
Fraser	Mollet	Wolf, McIntosh
Fuglestad	Monson	Wolf, Morton
Gainor	Mork	Wollitz
Graham	Nystrom	Yirchott
Grenier	Ohnstad	Mr. Speaker
Haag	Olson, Barnes	
Absent and not voting:		
Benno	Mortenson	Smart
Bolmeier	Olson, Bowman	Stair
Ekren	Schmalenberger	
Passed:		
Allen, Grand Forks	Blair	Saumur

So the Resolution was adopted.

Rep. Halcrow moved that House Resolutions Nos. 1 and 2 be printed in the Journal, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 82.

In line 2, after the word "monies" insert "in the equalization fund."

Rep. Symington moved that the House concur in the Senate amendments to House Bill No. 82, which motion prevailed.

Rep. Symington moved that the rules be suspended and House Bill No. 82 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 95; nays, 2; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Halcrow	Ostgulen
Allen, Grand Forks	Halvorson	Pyle
Allen, Pierce	Haugen	Rohrer
Anderson	Haugland	Sandness
Arndt	Heckman	Saumur
Bagge	Hegge	Schimke
Baumgartner	Herk	Schlafmann
Belzer	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogboom	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sellens
Bubel	Jennings	Severson
Bureau	Johnson, Cass	Sharpe
Callahan	Johnson, Richland	Shockman
Collette	Klefstad	Skaar
Crockett	Langley	Stanley
Dalzell	Larson	Sticka
Devlin	Leet	Still
Drawz	Levin	Stormon
Drovdal	Lillehaugen	Symington
Engel	Lindberg	Thompson, Griggs
Esterby	Luick	Tuff
Falconer	Lysne	Wambheim
Fitch	McInnes	Welk
Fleck	Maher	Westby
Forseth	Moerke	Wolf, McIntosh
Frank	Mollet	Wolf, Morton
Fuglestad	Monson	Wollitz
Gainor	Mork	Yirchott
Grenier	Nystrom	Mr. Speaker
Haag	Ohnstad	

Those voting in the negative were:

Moe Thompson, Richl'nd

Absent and not voting:

Benno	Fraser	Sailer
Bolmeier	Graham	Schmalenberger
Bymers	Mortenson	Schnell
Dittmer	Olson, Barnes	Smart
Ekren	Olson, Bowman	Stair

So the bill passed as amended and the title was agreed to.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 34-0606 of the North Dakota Revised Code of 1943 Relating to the Hours of Labor of Females Within This State in Certain Commercial Establishments and in State Institutions.



Was read the first time and referred to the Committee on Ways and Means.

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 57-1508 of the North Dakota Revised Code of 1943 Relating to Tax Levy Limitations in Cities, and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Was read the first time and referred to the Committee on Drainage and Irrigation.

Senate Bill No. 155. A Bill for an Act to Permit a Levy of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Sub-section 10 of Section 7-0208 of the North Dakota Revised Code of 1943, Relating to Loans and Investments of Building and Loan Associations, and Declaring an Emergency.

Was read the first time and referred to the Committee on Banks and Banking.

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Was read the first time and referred to the Committee on Game and Fish.

Senate Bill No. 193. A Bill for an Act Requiring Reports to the State Auditor of Sales of Tractor Fuel as Defined in Sections 19-1001 and 19-1011 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 57-4101 of the North Dakota Revised Code of 1943, Relating to the Definition of Motor Vehicle Fuels.

Was read the first time and referred to the Committee on State Affairs.

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Concurrent Resolution No. 12. A Concurrent Resolution Memorializing the Interstate Commerce Commission and the Public Service Commission of the State of North Dakota to Take Steps to Remove the Discrimination Now Existing Against the North Dakota Shippers of Grain.

Was read the first time and referred to the Committee on Agriculture.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 50.

House Bill No. 56.  
House Bill No. 101.

And the Speaker signed the same in the presence of the House.

Rep. Haugen moved that the House recess until 7:30 o'clock p. m., which motion prevailed.

The House reconvened at 7:30 o'clock p. m., pursuant to recess taken, Speaker Bergesen presiding.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 17.  
House Bill No. 42.

And the Speaker signed the same in the presence of the House.

#### GENERAL ORDERS

Rep. Sailer moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Sailer to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 197.

Strike out all of Section 13. Renumber the lines and sections.

And when so amended recommend the same do pass.

House Bill No. 260.

And recommend the same be indefinitely postponed.

House Bill No. 104.

Beginning in line 1 strike out everything after the word and numeral "Section 1." down through line 48 and insert the following language:

- 1 In each public department and upon all public
- 2 works of the State of North Dakota and of the
- 3 counties, cities or villages therein, honorably dis-
- 4 charged members of the Armed Forces who have defended
- 5 this nation in time of war, or their widows, or
- 6 their wives when the veteran is wholly incapacitated
- 7 by reason of disabilities not resulting from his own
- 8 vicious habits, shall be preferred for appointment,
- 9 and age, loss of limb or other physical impairment
- 10 which does not in fact incapacitate the persons
- 11 from performing the duties of the positions sought,
- 12 shall not disqualify them, if they possess the
- 13 requisite qualifications and the business capacity to
- 14 discharge the duties of the positions involved.
- 15 Provided further, that to be eligible under the pro-
- 16 visions of this Act the person applying shall be a
- 17 citizen of the United States and shall have been a
- 18 resident of the State of North Dakota at the time of
- 19 his or her induction or enlistment in the armed
- 20 forces and where a county, city or village appointment

21 is involved the applicant shall have been a resident  
 22 of such political subdivision for at least six months  
 23 immediately preceding the appointment sought.

24 SECTION 2. A vacancy shall be considered to exist  
 25 under the provisions of this Act whenever the term  
 26 of the incumbent expires by reason of death, resignation,  
 27 dismissal for cause or the expiration of the tenure  
 28 of appointment requiring a new appointment. The  
 29 replacement of an incumbent by a veteran, widow or wife  
 30 without such event occurring is not contemplated by  
 31 the provisions of this act.

32 SECTION 3. Exceptions. Excepted from the  
 32a provisions  
 33 of this Act are the personal staff of the Governor  
 34 and the first assistant or deputy of an elected depart-  
 35 ment head plus the personal secretary of each  
 36 elected official. There shall be excepted from  
 37 the operation of this act any temporary investigating  
 38 committee or group appointed by the Governor or  
 39 the Legislative Assembly. This Act shall not interfere  
 40 with the regular operation of the Merit System, except  
 41 that upon proof submitted showing honorable service  
 42 during a war a veteran shall have 5% added to the  
 43 rating which he obtains on examination and a disabled  
 44 veteran with a service connected disability shall  
 45 have 10% added to his rating so obtained.

46 SECTION 4. Remedy. Whenever an eligible veteran,  
 47 widow or wife has made application for a public  
 48 position and is refused an appointment for which he  
 49 or she possesses the necessary qualifications, in  
 50 violation of the spirit and intent of this act, then  
 51 such person shall have the right to petition by  
 52 verified petition the District Court of the State  
 53 of North Dakota in the county in which the work is  
 54 to be performed, setting forth the facts of his  
 55 application qualifications, competency and honorable  
 56 discharge entitling him or her to preference under  
 57 this Act and upon the filing of such petition the  
 58 Judge in said court shall forthwith issue an order  
 59 to show cause to the appointing authority directing  
 60 said authority to appear in said court at a specified  
 61 time and place, not less than five nor more than ten  
 62 days after the filing of said verified petition, to  
 63 show cause, if any, he have why said veteran or person  
 64 entitled to preference should not be employed by him  
 65 and the said District Court shall have jurisdiction  
 66 upon the proper showing to issue its order directing  
 67 and ordering said appointing authority to comply with  
 68 this law in giving the preference herein provided.

69 SECTION 5. Should any part of this Act be declared  
 70 invalid all other parts and provisions thereof shall  
 71 remain in full force and effect.

72 SECTION 6. All acts or parts of acts in conflict  
 73 with the provisions of this act are hereby repealed.

74 SECTION 7. EMERGENCY. This act is hereby  
 74a declared  
 75 to be an emergency measure and the same shall be in  
 76 full force and effect from and after its passage and  
 77 approval.

And when so amended recommend the same do pass.

## House Bill No. 151.

And recommend that the same be re-referred to the Committee on Judiciary.

## House Bill No. 62.

In the title of the bill, after the words "52-01, of the" insert the words "North Dakota"; after the words "52-0201, of the" insert the words "North Dakota"; after the words "52-0215, of the" insert the words "North Dakota"; after the words "52-0301, of the" insert the words "North Dakota"; after the words "52-04, of the" insert the words "North Dakota"; after the words "52-0601, of the" insert the words "North Dakota"; after the words "52-0602, of the" insert the words "North Dakota"; after the words "52-604, of the" insert the words "North Dakota"; after the words "52-0605, of the" insert the words "North Dakota"; after the words "52-0616, of the" insert the words "North Dakota"; after the words "52-0617, of the" insert the words "North Dakota"; after the words "52-0627, of the" insert the words "North Dakota"; after the words "52-0702, of the" insert the words "North Dakota".

In Line 1 after the words "52-01 of the" insert the words "North Dakota".

In Line 197, after the words "in fact;" insert the word "and".

In Line 197, after the words "52-0201 of the" insert the words "North Dakota".

In Line 656, after the words "52-0215 of the" insert the words "North Dakota".

In Line 719, after the words "52-0301 of the" insert the words "North Dakota".

In Line 740, after the words "52-04 of the" insert the words "North Dakota".

In Line 1045, after the words "52-0601 of the" insert the words "North Dakota".

In Line 1120, after the words "52-0602 of the" insert the words "North Dakota".

In Line 1210, after the words "52-0604 of the" insert the words "North Dakota".

In Line 1239, after the words "52-0605 of the" insert the words "North Dakota".

In Line 1246, after the words "52-0616 of the" insert the words "North Dakota".

In Line 1270, after the words "52-0617 of the" insert the words "North Dakota".

In Line 1290, after the words "52-0627 of the" insert the words "North Dakota".

In line 1333, after the words "52-0702 of the" insert the words "North Dakota".

In Section 52-0406, Subsection 1, add the following divisions as follows:

"f. Eight-tenths of one percent, if such excess equals or exceeds twelve percent of his average annual payroll.

"g. One-half of one percent, if such excess equals or exceeds fifteen percent of his average annual payroll."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

## Senate Bill No. 88.

Line 18 after coal mines insert period (.) and strike out

the words 'two years of which was had in this state.'

Line 29 change the word five to 'seven'.

Renumber lines.

And when so amended recommend the same do pass.

REP. SAILER, Chairman.

Committee of the Whole.

Rep. Westby moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### SECOND READING OF HOUSE BILLS

Rep. Fuglestad moved that House Bill No. 212 be referred to the Committee on Temperance, which motion prevailed.

House Concurrent Resolution "K." Regarding Service Performed by the Farm Security Administration, in the Rehabilitation of Farmers Upon the Soil.

Was read the second time.

Rep. Bubel moved that the House adopt House Concurrent Resolution "K", which motion prevailed.

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on the Postwar Military Establishment and the Status of the National Guard.

Was read the second time.

Rep. Falconer moved that the House adopt House Concurrent Resolution "S", which motion prevailed.

House Bill No. 229. A Bill for an Act Defining Liquid Petroleum Gasses; Providing for the Regulations; Storage and Handling of Liquid Petroleum Gases; Providing a Penalty; and Declaring an Emergency.

Was read the second time.

Rep. Bolmeier asked the unanimous consent of the House to amend House Bill No. 229.

Rep. Falconer moved that the request be granted, which motion prevailed.

Rep. Bolmeier moved that House Bill No. 229 be amended by renumbering the lines, which motion prevailed.

Rep. Bolmeier moved that the rules be suspended and House Bill No. 229 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 0; absent and not voting 30.

Those voting in the affirmative were:

Acheson	Halcrow	Saumur
Allen, Pierce	Halvorson	Schimke
Arndt	Haugen	Schlafmann
Bagge	Haugland	Schmalenberger
Baumgartner	Heckman	Schmidt, Logan
Belzer	Herk	Schnell
Bjella	Hildre	Schwartz
Blair	Hofstrand	Sellens
Bolmeier	Hovey	Severson
Boucher	Isaak	Sharpe
Bubel	Jennings	Skaar

Burau	Johnson, Richland	Stanley
Bymers	Langley	Sticka
Callahan	Larson	Still
Crockett	Leet	Stormon
Dalzell	Lillehaugen	Symington
Dittmer	Luick	Thompson, Griggs
Drovdal	Lysne	Thompson, Richl'nd
Engel	McInnes	Tuff
Esterby	Maher	Wambheim
Falconer	Moe	Welk
Fitch	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Nystrom	Wolf, Morton
Fraser	Pyle	Wollitz
Fuglestad	Sailer	Yirchott
Grenier	Sandness	Mr. Speaker
Haag		

## Absent and not voting:

Allen, Grand Forks	Graham	Ohnstad
Anderson	Hegge	Olson, Barnes
Benno	Hogboom	Olson, Bowman
Brady	Johnson, Cass	Ostgulen
Collette	Klefstad	Rohrer
Devlin	Levin	Schmidt, Morton
Drawz	Lindberg	Seibel
Ekren	Moerke	Shockman
Fleck	Mollet	Smart
Gainor	Mortenson	Stair

So the bill passed as amended and the title was agreed to and the emergency clause was declared carried.

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 3; absent and not voting, 30.

Those voting in the affirmative were:

Acheson	Haag	Sailer
Allen, Grand Forks	Halcrow	Sandness
Allen, Pierce	Haugen	Schimke
Anderson	Haugland	Schlafmann
Arndt	Heckman	Schmalenberger
Baumgartner	Herk	Schmidt, Logan
Belzer	Hildre	Schnell
Bjella	Hofstrand	Schwartz
Blair	Hovey	Sellens
Bolmeier	Isaak	Severson
Boucher	Jennings	Sharpe
Bubel	Johnson, Richland	Skaar
Burau	Langley	Stanley
Bymers	Larson	Sticka
Callahan	Leet	Still
Crockett	Levin	Stormon
Dalzell	Lillehaugen	Symington
Drovdal	Luick	Thompson, Griggs
Engel	Lysne	Tuff
Esterby	Maher	Wambheim

Falconer	Moerke	Welk
Fitch	Mollet	Westby
Forseth	Monson	Wolf, McIntosh
Frank	Nystrom	Wolf, Morton
Fraser	Ohnstad	Wollitz
Fuglestad	Pyle	Mr. Speaker
Grenier		

Those voting in the negative were:

Halvorson	Moe	Thompson, Richl'nd
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Absent and not voting:

Bagge	Graham	Olson, Bowman
Benno	Hegge	Ostgulen
Brady	Hogoboom	Rohrer
Collette	Johnson, Cass	Saumur
Devlin	Klefstad	Schmidt, Morton
Dittmer	Lindberg	Seibel
Drawz	McInnes	Shockman
Ekren	Mork	Smart
Fleck	Mortenson	Stair
Gainor	Olson, Barnes	Yirchott

So the bill passed and the title was agreed to.

House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

Was read the second time. .

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 0; absent and not voting, 29.

Those voting in the affirmative were:

Acheson	Halvorson	Sailer
Allen, Grand Forks	Haugen	Sandness
Allen, Pierce	Haugland	Saumur
Arndt	Heckman	Schimke
Baumgartner	Herk	Schlafmann
Belzer	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schnell
Blair	Hovey	Schwartz
Bolmeier	Isaak	Sellens
Boucher	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Bureau	Johnson, Richland	Skaar
Bymers	Klefstad	Stanley
Callahan	Langley	Sticka
Crockett	Larson	Still
Dalzell	Leet	Stormon
Drovdal	Levin	Symington
Engel	Lillehaugen	Thompson, Griggs
Esterby	Luick	Thompson, Richl'nd
Falconer	Lysne	Tuff
Fitch	Maher	Wambheim
Forseth	Moe	Welk
Frank	Moerke	Westby
Fraser	Mollet	Wolf, McIntosh
Fuglestad	Monson	Wolf, Morton
Grenier	Nystrom	Wollitz
Haag	Ohnstad	Mr. Speaker
Halcrow	Pyle	

## Absent and not voting:

Anderson	Gainor	Ostgulen
Bagge	Graham	Rohrer
Benno	Hegge	Schmalenberger
Brady	Hogoboom	Schmidt, Morton
Collette	Lindberg	Seibel
Devlin	McInnes	Shockman
Dittmer	Mork	Smart
Drawz	Mortenson	Stair
Ekren	Olson, Barnes	Yirchott
Fleck	Olson, Bowman	

So the bill passed and the title was agreed to.

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribution of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Corporations by the Commissioner of Insurance; Investment of 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, 75; nays, 8; absent and not voting, 29.

Those voting in the affirmative were:

Acheson	Herk	Saumur
Allen, Grand Forks	Hildre	Schimke
Allen, Pierce	Hofstrand	Schlafmann
Arndt	Hovey	Schmalenberger
Baumgartner	Isaak	Schnell
Bjella	Johnson, Richland	Schwartz
Blair	Klefstad	Sellens
Bolmeier	Langley	Severson
Boucher	Larson	Sharpe
Bubel	Leet	Skaar
Burau	Levin	Stanley
Callahan	Lillehaugen	Sticka
Crockett	Luick	Still
Dalzell	Lysne	Stormon
Drovdal	Maher	Symington
Engel	Moe	Thompson, Griggs
Falconer	Moerke	Thompson, Rich'd
Fitch	Mollet	Tuff
Frank	Monson	Wambheim
Fraser	Nystrom	Welk
Fuglestad	Ohnstad	Westby
Grenier	Ostgulen	Wolf, McIntosh
Halcrow	Pyle	Wolf, Morton
Haugland	Sailer	Wollitz
Heckman	Sandness	Mr. Speaker

Those voting in the negative were:

Belzer	Haag	Jennings
Esterby	Halvorson	Schmidt, Logan
Forseth	Haugen	

Absent and not voting:

Anderson	Fleck	Olson, Barnes
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Bagge	Gainor	Olson, Bowman
Benno	Graham	Rohrer
Brady	Hegge	Schmidt, Morton
Bymers	Hogoboom	Seibel
Collette	Johnson, Cass	Shockman
Devlin	Lindberg	Smart
Dittmer	McInnes	Stair
Drawz	Mork	Yirchott
Ekren	Mortenson	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 75; nays, 7; absent and not voting, 30.

Those voting in the affirmative were:

Acheson	Halcrow	Pyle
Allen, Grand Forks	Halvorson	Sailer
Allen, Pierce	Haugen	Sandness
Arndt	Haugland	Saumur
Baumgartner	Heckman	Schlafmann
Belzer	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Logan
Bolmeier	Hofstrand	Schnell
Boucher	Hovey	Schwartz
Bubel	Jennings	Sellens
Bureau	Johnson, Richland	Severson
Callahan	Klefstad	Sharpe
Crockett	Langley	Skaar
Dalzell	Larson	Stanley
Drovdal	Leet	Sticka
Engel	Levin	Stormon
Esterby	Lillehaugen	Symington
Falconer	Luick	Thompson, Griggs
Fitch	Lysne	Wambheim
Forseth	Maher	Welk
Frank	Moerke	Westby
Fraser	Mollet	Wolf, McIntosh
Fuglestad	Monson	Wolf, Morton
Grenier	Nystrom	Wollitz
Haag	Ohnstad	Mr. Speaker

Those voting in the negative were:

Blair	Schimke	Thompson, Richl'nd
Isaak	Still	Tuff

Absent and not voting:

Anderson	Fleck	Olson, Barnes
Bagge	Gainor	Olson, Bowman
Benno	Graham	Ostgulen
Brady	Hegge	Rohrer
Bymers	Hogoboom	Schmidt, Morton
Collette	Johnson, Cass	Seibel
Devlin	Lindberg	Shockman
Dittmer	McInnes	Smart

Drawz  
Ekren

Mork  
Mortenson

Stair  
Yirchott

So the bill passed and the title was agreed to.

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 70; nays, 13; absent and not voting, 29.

Those voting in the affirmative were:

Acheson	Halvorson	Pyle
Allen, Grand Forks	Haugen	Schimke
Allen, Pierce	Haugland	Schlafmann
Arndt	Heckman	Schmalenberger
Baumgartner	Herk	Schmidt, Logan
Belzer	Hildre	Schnell
Bjella	Hofstrand	Schwartz
Blair	Hovey	Sellens
Bolmeier	Isaak	Severson
Boucher	Jennings	Sharpe
Bubel	Johnson, Richland	Stanley
Bureau	Klefstad	Sticka
Dalzell	Langley	Still
Drovdal	Leet	Stormon
Ekren	Levin	Symington
Engel	Lillehaugen	Thompson, Griggs
Esterby	Luick	Wambheim
Falconer	Lysne	Welk
Forseth	Maher	Westby
Frank	Moerke	Wolf, McIntosh
Fuglestad	Mollet	Wolf, Morton
Grenier	Monson	Wollitz
Haag	Ohnstad	Mr. Speaker
Halcrow		

Those voting in the negative were:

Callahan	Moe	Saumur
Crockett	Nystrom	Skaar
Fitch	Sailer	Thompson, Rich'nd
Fraser	Sandness	Tuff
Larson		

Absent and not voting:

Anderson	Gainor	Olson, Bowman
Bagge	Graham	Ostgulen
Benno	Hegge	Rohrer
Brady	Hogboom	Schmidt, Morton
Bymers	Johnson, Cass	Seibel
Collette	Lindberg	Shockman
Devlin	McInnes	Smart
Dittmer	Mork	Stair
Drawz	Mortenson	Yirchott
Fleck	Olson, Barnes	

So the bill passed and the title was agreed to.

House Concurrent Resolution "G". A Concurrent Resolution Providing for the Amendment of Section 170 of the Constitution of the State of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 80; nays, 2; absent and not voting, 30.

Those voting in the affirmative were:

Acheson	Halvorson	Sailer
Allen, Grand Forks	Haugen	Sandness
Allen, Pierce	Haugland	Saumur
Arndt	Heckman	Schimke
Baumgartner	Herk	Schlafmann
Belzer	Hildre	Schmalenberger
Bjella	Hofstrand	Schmidt, Logan
Blair	Hovey	Schnell
Bolmeier	Isaak	Schwartz
Boucher	Jennings	Sellens
Bubel	Johnson, Richland	Severson
Bureau	Klefstad	Sharpe
Callahan	Langley	Skaar
Crockett	Larson	Stanley
Dalzell	Leet	Sticka
Drovdal	Levin	Symington
Engel	Lillehaugen	Thompson, Griggs
Esterby	Luick	Thompson, Richl'nd
Fitch	Lysne	Tuff
Forseth	Maher	Wambheim
Frank	Moe	Welk
Fraser	Moerke	Westby
Fuglestad	Mollet	Wolf, McIntosh
Falconer	Monson	Wolf, Morton
Grenier	Nystrom	Wollitz
Haag	Ohnstad	Mr. Speaker
Halcrow	Pyle	

Those voting in the negative were:

Still Stormon

Absent and not voting:

Anderson	Fleck	Olson, Barnes
Bagge	Gainor	Olson, Bowman
Benno	Graham	Ostgulen
Brady	Hegge	Rohrer
Bymers	Hogoboom	Schmidt, Morton
Collette	Johnson, Cass	Seibel
Devlin	Lindberg	Shockman
Dittmer	McInnes	Smart
Drawz	Mork	Stair
Ekren	Mortenson	Yirchott

So the resolution was adopted.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing: Classification 5.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 77; nays, 0; absent and not voting, 35.

Those voting in the affirmative were:

Acheson	Halcrow	Sandness
Allen, Grand Forks	Haugen	Saumur
Allen, Pierce	Haugland	Schimke
Arndt	Heckman	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schnell
Blair	Hovey	Schwartz
Bolmeier	Isaak	Sellens
Boucher	Johnson, Richland	Severson
Bubel	Klefstad	Sharpe
Burau	Langley	Skaar
Callahan	Larson	Stanley
Crockett	Leet	Sticka
Dalzell	Lillehaugen	Still
Drovdal	Luick	Stormon
Engel	Lysne	Thompson, Griggs
Esterby	Maher	Tuff
Falconer	Moe	Wambheim
Fitch	Moerke	Welk
Forseth	Mollet	Westby
Frank	Monson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Fuglestad	Ohnstad	Wollitz
Grenier	Pyle	Mr. Speaker
Haag	Sailer	

Absent and not voting:

Anderson	Graham	Olson, Bowman
Bagge	Halvorson	Ostgulen
Benno	Hegge	Rohrer
Brady	Hogoboom	Schmidt, Morton
Bymers	Jennings	Seibel
Collette	Johnson, Cass	Shockman
Devlin	Levin	Smart
Dittmer	Lindberg	Stair
Drawz	McInnes	Symington
Ekren	Mork	Thompson, Richl'nd
Fleck	Mortenson	Yirchott
Gainor	Olson, Barnes	

So the bill passed as amended and the title was agreed to.

Rep. Westby moved that the House recess until 12:00 o'clock noon, Monday, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

FORTY-SEVENTH DAY AFTER RECESS  
AND FORTY-NINTH DAY

Bismarck, February 19, 1945

The House reconvened at 12:00 o'clock noon, pursuant to recess taken, Speaker Bergesen presiding.

Rep. Johnson of Richland moved that the rules be suspended to adopt a rule that all bills now in committee that are not reported in by 2:00 o'clock tomorrow, be automatically placed on the Calendar, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended for the purpose of adopting a rule that no notice of reconsideration on the fiftieth day will be considered nor will such a notice have the effect of holding a Bill.

Rep. Graham offered as a substitute motion that the House do not further consider the motion of Rep. Johnson of Richland.

The Speaker called Rep. Sandness to the Chair.

Rep. Bergesen talked on the motion of Rep. Johnson of Richland.

The question was on the substitute motion of Rep. Graham. On a voice vote the Chair was in doubt.

A rising vote disclosed 46 for and 52 against, so the substitute motion was lost.

Speaker Bergesen resumed the Chair.

The question was on the motion of Rep. Johnson of Richland.

On a voice vote the Chair was in doubt.

A rising vote disclosed 55 for and 49 against, so the motion was lost.

Rep. Allen of Grand Forks moved that House Bill No. 272 be withdrawn, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 211, have had the same under consideration and recommend that the same be amended as follows:

In line one of the title strike out the last word "and".

In line two strike out the following words "repealing Sections 5-0208 and 5-0209". Strike out all of section 2 and re-number lines.

And, when so amended recommend the same do pass.

REP. ALLEN of Pierce, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Concurrent Resolution "J", have had the same under consideration and recommend that the same do pass.

REP. LANGLEY, Chairman.

Rep. Haugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 235, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. LANGLEY, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 122, have had the same under consideration and recommend that the same do pass.

REP. LANGLEY, Chairman.

Rep. Haugen moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Leet moved that the rules be suspended and House Bill No. 122 be amended as follows:

In the title of the bill after the word "the" and before the word "Revised" insert the words "North Dakota".

In line 1 of the bill after the words "the" and before the word "Revised" insert the words "North Dakota" and renumber the lines, which motion prevailed.

Mr. Speaker: Your Committee on Education, to whom was referred House Bill No. 189, have had the same under consideration and recommend that the same do pass.

REP. LANGLEY, Chairman.

Rep. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education, to whom was referred House Bill No. 188, have had the same under consideration and recommend that the same do pass.

REP. LANGLEY, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education, to whom was referred House Bill No. 266, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. LANGLEY, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education, to whom was referred House Bill No. 183, have had the same under consideration and recommend that the same be amended as follows:

On line 10 change the date July 1, 1946 to August 1, 1945.

On line 13 change the date July 1, 1946 to August 1, 1945.

Strike out all of Section 2.

And when so amended recommend the same do pass.

REP. LANGLEY, Chairman.

Rep. Haugen moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Sandness moved that the rules be suspended and House Bill No. 183 as amended by the Standing Committee report be adopted, which motion prevailed and the amendments were declared adopted and House Bill No. 183 was placed on the Calendar.

Mr. Speaker: Your Committee on Education, to whom was referred House Bill No. 257, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. LANGLEY, Chairman.

Rep. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education, to whom referred House Bill No. 71, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words *A BILL* and insert the following:

For an Act authorizing the Bank of North Dakota to loan money to counties unable to raise sufficient funds by general taxation to carry on their primary governmental functions or to pay their mandatory obligations; providing for the levy of an additional general tax to provide funds for the repayment of such loans with interest; creating a special fund; prohibiting a diversion thereof; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 Section 1. The Bank of North Dakota is hereby
- 1a authorized
- 2 to make loans to counties for the purposes specified by
- 2a this
- 3 act upon such terms, conditions and under such rules and
- 4 regulations as the Industrial Commission may prescribe or
- 5 approve, provided however, that upon the completion of
- 5a such
- 6 loan the county making application therefor shall levy
- 7 a general tax upon all of the taxable property of the
- 7a county
- 8 for the repayment thereof, with interest, when said debt
- 9 shall mature.
- 10 Section 2. Whenever all of the taxes, which any county
- 11 is authorized to levy in any one year for general or special
- 12 county purposes, are insufficient to carry on the primary
- 13 governmental functions, or to pay the mandatory
- 13a obligations

14 imposed by law upon counties, then such counties are  
14a hereby  
15 authorized to borrow money from the Bank of North  
15a Dakota in  
16 such an amount or amounts as the board of county  
16a commission-  
17 ers shall determine to be necessary or sufficient to meet  
18 the deficiencies existing in its general or special funds,  
19 or to carry on its primary governmental functions, and to  
20 pay its mandatory obligations.

21 Section 3. Whenever the board of county commissioners  
22 desire to make a loan from the Bank of North Dakota  
22a for any  
23 of the purposes authorized herein, it shall make an  
23a applica-  
24 tion which shall set forth the assessed valuation of the  
25 county, the amount of taxes levied for the current year or  
26 years involved, the status of its general and special funds,  
27 and the amount required to carry on its primary  
27a governmental  
28 functions and to pay its mandatory obligations, and such  
29 other data as the Industrial Commission may require; said  
30 application shall be verified by the certificate of the  
31 county auditor as to the accuracy thereof.

32 Section 4. Upon the approval of an application for a  
33 loan by the Industrial Commission, the board of county  
33a com-  
34 missioners applying for such loan is hereby authorized to  
35 levy a general tax from year to year upon all of the  
35a general  
36 taxable property of the county, not to exceed three mills  
37 for any one year, for the purpose of providing funds  
37a suffi-  
38 cient to repay the amount of said loan, with interest, at  
39 the time of maturity. The levy of said tax shall not be  
40 subject to any existing mill levy limitations for general  
41 or special county purposes, but shall be in addition there-  
42 to. Said tax shall be levied and collected at the same  
43 time and in the same manner as other general or special  
44 taxes for county purposes are levied and collected.

45 Section 5. The board of county commissioners  
45a authorizing  
46 the levying of such tax shall establish a special fund in  
47 the county treasury designated as the "County Loan  
47a Fund" and  
48 all moneys collected from the general tax levied for the  
49 purpose of repaying any loans, with interest, shall be  
50 deposited to the credit of said special fund and shall be  
51 used only for the purpose of repaying the principle, with  
52 accrued interest, due upon loans made by the county as the  
53 same shall mature, provided however, that the balance, if  
54 any, remaining in said special fund, after the amount of  
54a the  
55 loan, with accrued interest, shall have been paid in full,  
56 may be transferred by the county commissioners to the  
56a General  
57 Fund of the county.

58 Section 6. EMERGENCY.) This act is hereby  
58a declared



59 to be an emergency measure and shall be in full force  
59a and,

60 effect from and after its approval.

And when so amended recommend the same do pass.

REP. SMART, Chairman.

Rep. Bagge moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Crockett moved that House Bill No. 230 be withdrawn, which motion prevailed.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 212, have had the same under consideration and recommend that the same be amended as follows:

Add new section.

"Section 4. This act shall not be construed as affecting the provisions of Chapter 5-0401 North Dakota Revised Code of 1943 which shall remain in full force and effect."

And renumber the lines.

And when so amended recommend the same do pass.

REP. ALLEN of Pierce, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fuglestad moved that the rules be suspended and House Bill No. 212 as amended by the Standing Committee report be adopted, which motion prevailed and the amendments were declared adopted and House Bill No. 212 was placed on the calendar.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 147, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after A BILL and insert the following:

For an Act prohibiting sale of alcoholic beverages to certain persons, repealing Sections 5-0240 and 5-0318 of the North Dakota Revised Code of 1943, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. No person shall sell any alcoholic  
2 beverages to any person under the age of 21 years,  
3 incompetent person, Indian as defined by federal law,  
4 or a person who is an inebriate, or habitual drunkard.  
5 SECTION 2. REPEAL. Section 5-0210 and Section  
6 5-0318 of the North Dakota Revised Code of 1943 are  
7 hereby repealed.  
8 SECTION 3. EMERGENCY. This Act is hereby de-  
9 clared to be an emergency measure and shall be in  
10 full force and effect from and after its passage and  
11 approval.

And when so amended recommend the same do pass.

REP. ALLEN of Pierce, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education, to whom was

referred House Bill No. 169, have had the same under consideration and recommend the same without recommendation.

REP. LANGLEY, Chairman.

Rep. Halcrow moved that House Bill No. 169 be placed in General Orders for the purpose of amending as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

For an Act to provide for the organization of all territory within an organized township as a Special School District when there is more than one school district within such organized township, and to provide for the organization of the territory within an organized township and additional territory as a Special School District.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

1 SECTION 1. Whenever there is more than one  
2 school district within any organized township, the  
3 County Superintendent of Schools upon being peti-  
4 tioned so to do by one-half of the legal voters re-  
5 siding in such organized township and the incorpo-  
6 rated villages and cities within the boundaries of  
7 such organized township, shall submit to the legal  
8 voters of such organized township and the incor-  
9 porated villages and cities within the boundaries  
10 of such organized township, at a special election  
11 to be held as hereinafter provided in this Act, a  
12 proposal to organize all the territory within such  
13 organized township, including the territory in all  
14 the villages and cities within the boundaries of  
15 such organized township, as a special school dis-  
16 trict. Upon the ratification of such proposal by  
17 a two-thirds majority vote of the qualified voters  
18 who vote upon such a proposal all of the territory  
19 within such organized township, including the ter-  
20 ritory in all the villages and cities within the  
21 boundaries of such organized township shall con-  
22 stitute and be a special school district, and every  
23 such special school district shall be a body cor-  
24 porate for school purposes by the name of "The Board  
25 of Education of \_\_\_\_\_, Township of \_\_\_\_\_  
26 County, State of North Dakota," with the name of  
27 the organized township inserted in the blank be-  
28 fore the word "Township" and the name of the County  
29 inserted in the blank before the word "County", and  
30 shall possess all the powers and duties usual to  
31 corporations for public purposes or conferred upon  
32 it by this Act or which may hereafter be conferred  
33 upon it by law; and in such name it may sue and be  
34 sued, contract and be contracted with, and hold and  
35 convey such real and personal property as shall  
36 come into its possession by will or otherwise; and  
37 keep a corporate seal by which its official acts  
38 may be attested.

39 SECTION 2. Within fifteen days after the re-  
40 ceipt of a petition for the organization of a spec-  
41 ial school district in accordance with the provi-  
42 sions of this Act, the County Superintendent of

43 Schools shall call a special election to be held in  
 44 such proposed special school district as declared by  
 45 the petitioners. Such special election shall be  
 46 held in such polling place or places as the County  
 47 Superintendent of Schools shall determine and direct.

48 SECTION 3. Such County Superintendent of  
 49 Schools shall promptly cause notice of such special  
 50 election to be given by publishing notice thereof,  
 51 stating the time and place or places for holding  
 52 such special election in a newspaper published with-  
 53 in such proposed special school district (if any),  
 54 and if there is no newspaper published in such pro-  
 55 posed special school district then by publishing  
 56 such notice in the official county newspaper of the  
 57 county in which such proposed special school dis-  
 58 trict is situated. Such notice shall be published  
 59 once each week for two successive weeks and the  
 60 special election shall be held within seven days  
 61 after the last publication of such notice. Such  
 62 County Superintendent of Schools shall appoint  
 63 the judges and clerks of such election and the  
 64 said election shall be held and conducted in the  
 65 same manner, and the polls shall be opened and  
 66 closed at the same time, as in annual elections  
 67 in special school districts. The result of such  
 68 election shall be certified and delivered to  
 69 the County Auditor of such county, who shall file  
 70 the same in his office and make and preserve  
 71 record thereof.

72 SECTION 4. The County Superintendent of  
 73 Schools shall have ballots printed and furnished  
 74 for all special elections held under the provisions  
 75 of this Act. Upon such ballot the question to be  
 76 submitted shall be in substantially the following  
 77 form:

78 "Shall \_\_\_\_\_ Township and all the  
 79 territory within such Township, including all  
 80 territory in incorporated villages and cities  
 81 within the boundaries of such Township be organ-  
 82 ized as a Special School District?"

83 YES \_\_\_\_\_

84 NO \_\_\_\_\_

85 SECTION 5. Special school districts organized  
 86 under the provisions of this Act shall assume all  
 87 of the obligations and liabilities incurred by  
 88 the districts out of which they are formed, if  
 89 old districts are not divided, and a proportionate  
 90 part if divided.

91 SECTION 6. Special school districts organized  
 92 under the provisions of this Act shall become  
 93 the owner of and vested with the title to all  
 94 property, both real estate and personal property,  
 95 owned by the school districts out of which they are  
 96 formed, if old districts are not divided, and a  
 97 proportionate part is divided. Equalization of  
 98 all assets and liabilities between the school  
 99 districts affected by the organization of a spec-  
 100 ial school district under the provisions of this  
 101 Act shall be made in accordance with the provisions

102 of Section 1327 of the Compiled Laws of North Dakota  
 103 for 1913. Territory may not be detached from a  
 104 special school district organized under the  
 105 provisions of this Act unless approved by the two-  
 160 thirds majority of the voters of such special school  
 107 district cast at a special election duly held for  
 108 voting upon any such proposal.

109 SECTION 7. If a two-thirds majority of the  
 110 votes cast at a special election as provided for  
 111 under the terms of this Act is in favor of organiza-  
 112 tion of a special school district, another special  
 113 election shall be called promptly by the County  
 114 Superintendent of Schools at which the voters of  
 115 such newly organized special school district shall  
 116 elect five members of the Board of Education, two  
 117 of whom shall serve until the first annual election,  
 118 two until the second annual election, and one until  
 119 the third annual election thereafter, and until  
 120 their successors are elected and qualified, and their  
 121 respective terms shall be determined by lot.

122 SECTION 8. Whenever any school district main-  
 123 tains or operates a high school and the territory  
 124 within such school district is situated in more than  
 125 one organized township, all of the territory in such  
 126 school district that is situated outside the limits  
 127 of the organized township in which a high school is  
 128 located may be included in a special school district  
 129 that may be organized and created under the provisions  
 130 of this Act, and in such cases all voters residing  
 131 in the outside territory referred to in this para-  
 132 graph may sign the petition and vote at the elections  
 133 provided for in this Act, and such voters shall be  
 134 included in the determination of the number of voters  
 135 required on the petition provided for in this Act,  
 136 and the description of the territory to be organized  
 137 into a special school district under the provisions  
 138 of this Act, as the same appears in the petition  
 139 and ballot provided for in this Act shall include  
 140 said outside territory. In the organization of a  
 141 special school district under the provisions of this  
 142 Act no territory may be detached from a school dis-  
 143 trict that has and maintains a high school.

Which motion prevailed and House Bill No. 169 was placed  
 in General Orders.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and En-  
 grossment respectfully report that they have examined the  
 following bill:

House Bill No. 104.

And find the same correctly Re-engrossed.

REP. LEET, Chairman.

Rep. Bureau moved that the report be adopted, which motion  
 prevailed and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and En-  
 grossment respectfully report that they have examined the  
 following bill:

House Bill No. 197.

And find the same correctly Engrossed.

REP. LEET, Chairman.

Rep. Burau moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 17.

House Bill No. 42.

And find the same correctly Enrolled.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 19, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 63. A Bill for an Act to Amend and Re-enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

#### SECOND READING OF HOUSE BILLS

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of Said Construction Fund; Fixing a Penalty for Unlawful

Withdrawal of Such Construction Fund; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 7; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Pierce	Halvorson	Pyle
Allen, Grand Forks	Haugen	Rohrer
Anderson	Haugland	Sailer
Arndt	Heckman	Sandness
Bagge	Hegge	Saumur
Baumgartner	Herk	Schimke
Belzer	Hildre	Schlafmann
Benno	Hogoboom	Schmalenberger
Bjella	Hofstrand	Schmidt, Logan
Blair	Hovey	Schmidt, Morton
Bolmeier	Jennings	Schnell
Brady	Johnson, Cass	Schwartz
Bubel	Johnson, Richland	Sellens
Burau	Klefstad	Severson
Bymers	Langley	Shockman
Callahan	Larson	Skaar
Collette	Lillehaugen	Smart
Devlin	Leet	Stanley
Dittmer	Levin	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Thompson, Griggs
Engel	McInnes	Thompson, Rich'lnd
Esterby	Maher	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Westby
Fleck	Monson	Wolf, McIntosh
Forseth	Mork	Wolf, Morton
Frank	Mortenson	Wollitz
Fuglestad	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker
Graham	Olson, Barnes	

Those voting in the negative were:

Crockett	Isaak	Seibel
Dalzell	Moe	Symington
Halcrow		

Absent and not voting:

Boucher	Olson, Bowman	Stair
Fraser	Sharpe	Welk
Haag		

So the bill passed as amended and the title was agreed to and the emergency clause was declared carried.

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for

**Loss or Damage Arising from the Operation of any Motor Vehicle.**

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 102; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Pierce	Halcrow	Pyle
Anderson	Halvorson	Rohrer
Arndt	Haugen	Sailer
Bagge	Haugland	Sandness
Baumgartner	Heckman	Saumur
Belzer	Hegge	Schimke
Benno	Herk	Schlafmann
Bjella	Hildre	Schmalenberger
Blair	Hofstrand	Schmidt, Logan
Bolmeier	Hogoboom	Schmidt, Morton
Brady	Hovey	Schnell
Bubel	Isaak	Schwartz
Bureau	Jennings	Seibel
Bymers	Johnson, Cass	Sellens
Callahan	Klefstad	Severson
Collette	Langley	Shockman
Dalzell	Larson	Skaar
Devlin	Leet	Smart
Dittmer	Levin	Stanley
Drawz	Lillehaugen	Sticka
Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Engel	Lysne	Symington
Esterby	McInnes	Thompson, Griggs
Falconer	Maher	Thompson, Rich'l'nd
Fitch	Moe	Tuff
Fleck	Moerke	Wambheim
Forseth	Mollet	Westby
Frank	Monson	Wolf, McIntosh
Fuglestad	Mork	Wolf, Morton
Gainor	Mortenson	Wollitz
Graham	Ohnstad	Yirchott
Grenier	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Allen, Grand Forks

Absent and not voting:

Boucher	Johnson, Richland	Sharpe
Crockett	Nystrom	Stair
Fraser	Olson, Bowman	Welk

So the bill passed and the title was agreed to.

Rep. Brady moved that the vote by which House Bill No. 69 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdic-

tion and the County Has a Population Exceeding Forty Thousand; 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, 52; nays, 54, absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Grenier	Sandness
Anderson	Haugland	Saumur
Bagge	Heckman	Schmalenberger
Baumgartner	Hovey	Schnell
Belzer	Klefstad	Seibel
Benno	Langley	Sharpe
Blair	Levin	Smart
Bolmeier	Lindberg	Sticka
Brady	Luick	Thompson, Griggs
Bureau	McInnes	Thompson, Rich'nd
Crockett	Maher	Tuff
Devlin	Mortenson	Wambheim
Drawz	Nystrom	Welk
Ekren	Ohnstad	Westby
Fitch	Olson, Barnes	Wolf, McIntosh
Fleck	Pyle	Yirchott
Forseth	Sailer	Mr. Speaker
Graham		

Those voting in the negative were:

Allen, Grand Forks	Halcrow	Mork
Allen, Pierce	Halvorson	Ostgulen
Arndt	Haugen	Rohrer
Bjella	Hegge	Schimke
Bubel	Hildre	Schlafmahn
Bymers	Hofstrand	Schmidt, Logan
Callahan	Hogoboom	Schmidt, Morton
Collette	Isaak	Schwartz
Dalzell	Jennings	Sellens
Dittmer	Johnson, Cass	Severson
Drovdal	Larson	Shockman
Engel	Leet	Skaar
Esterby	Lillehaugen	Stanley
Falconer	Lysne	Still
Frank	Moe	Stormon
Fuglestad	Moerke	Symington
Gainor	Mollet	Wolf, Morton
Haag	Monson	Wollitz

Absent and not voting:

Boucher	Herk	Olson, Bowman
Fraser	Johnson, Richland	Stair

So the bill was lost.

Rep. Johnson of Cass moved that the vote by which House Bill No. 259 was lost be reconsidered and the motion to reconsider be laid on the table.

The motion was declared lost.

A division was called for and which revealed 53 voting for and 40 voting against, so the motion prevailed.

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station



at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 96 in Stark County, Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 26; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Grenier	Sailer
Allen, Grand Forks	Haag	Saumur
Allen, Pierce	Halcrow	Schimke
Anderson•	Halvorson	Schmalenberger
Bagge	Haugland	Schmidt, Logan
Baumgartner	Heckman	Schmidt, Morton
Belzer	Hegge	Schnell
Benno	Hildre	Schwartz
Bolmeier	Hofstrand	Seibel
Boucher	Hogoboom	Sellens
Brady	Hovey	Severson
Bubel	Isaak	Sharpe
Burau	Johnson, Richland	Shockman
Callahan	Klefstad	Smart
Collette	Langley	Stair
Dalzell	Luick	Stanley
Devlin	McInnes	Sticka
Dittmer	Maher	Still
Drawz	Moerke	Thompson, Griggs
Drovdal	Mollet	Thompson, Rich'nd
Ekren	Monson	Tuff
Esterby	Mork	Wambheim
Falconer	Mortenson	Welk
Fitch	Nystrom	Wolf, McIntosh
Fleck	Ohnstad	Wolf, Morton
Forseth	Pyle	Wollitz
Fraser	Sandness	Mr. Speaker
Graham		

Those voting in the negative were:

Arndt	Herk	Olson, Barnes
Bjella	Jennings	Ostgulen
Blair	Johnson, Cass	Rohrer
Crockett	Larson	Schlafmann
Engel	Leet	Skaar
Frank	Lillehaugen	Symington
Fuglestad	Lindberg	Westby
Gainor	Lysne	Yirchott
Haugen	Moe	

Absent and not voting:

Bymers	Olson, Bowman	Stormon
Levin		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Smart moved that the vote by which House Bill No. 203 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Falconer: I want to explain my vote and have it recorded. I am sorry this is necessary—I would like to have said a few words before. The State of North Dakota has spent thousands of dollars to educate the people who must go outside of North Dakota in order to find employment. The money spent for an institution of this kind will educate people where there is an opportunity to make a living within the State of North Dakota and therefore I vote "aye".

Rep. Bolmeier moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

#### FORTY-NINTH DAY

Bismarck, February 19, 1945

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. G. Adolph Johns.

Roll call: All members present except Rep. Olson of Bowman.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 19, 1945

Mr. President: I have the honor to transmit:

House Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund, After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 19, 1945

Mr. President: I have the honor to transmit:

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing; Classification 5.

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribution of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Corporations by the Commissioner of Insurance; Investment of Funds and Declaring an Emergency.

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

House Bill No. 229. A Bill for an Act Defining Liquid Petroleum Gasses; Providing for the Regulations; Storage and Handling of Liquid Petroleum Gases; Providing a Penalty; and Declaring an Emergency.

House Concurrent Resolution "G". A Concurrent Resolution Providing for the Amendment of Section 170 of the Constitution of the State of North Dakota.

House Concurrent Resolution "K." Regarding Service Performed by the Farm Security Administration, in the Rehabilitation of Farmers Upon the Soil.

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on the Postwar Military Establishment and the Status of the National Guard.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 19, 1945

Mr. President: I have the honor to return:

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 44-0409 of the Revised Codes of North Dakota for 1943 for the Prevention of Nepotism and Prohibiting the Appointment by the Head of Any Executive or Administrative Department of This State, or of His or Her Wife or Husband, Son or Daughter, Brother or Sister, to Any Position in Said Department or Under the Control of Such Depart-

ment Head; Providing Penalties Therefor; and Declaring an Emergency.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 19, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 82.

KENNETH L. MORGAN, Chief Clerk.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-sixth Day After Recess and the Forty-seventh Day and recommends that the same be corrected as follows:

Page 614, line 28, change Bill No. 216 to 246.

On page 636 change "p. m." to "noon".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolution:

House Bill No. 51.

House Bill No. 82.

House Concurrent Resolution "Q".

And find the same correctly Enrolled.

REP. LEET, Chairman.

Rep. Burau moved that the report be adopted, which motion prevailed and the report was adopted.

#### SECOND READING OF HOUSE BILLS

House Bill No. 282. A Bill for an Act Making an Appropriation in the Sum of Eleven Thousand Dollars (\$11,000.00), or So Much Thereof as May Be Necessary, to the Board of Administration for the Purchase of Furniture for Legislative Committee Rooms in the State Capitol Building.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 99; nays, 5; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Gainor	Olson, Barnes
Allen, Grand Forks	Graham	Ostgulen
Allen, Pierce	Grenier	Pyle

Anderson	Haag	Rohrer
Arndt	Halcrow	Sailer
Bagge	Halvorson	Sandness
Baumgartner	Haugland	Schimke
Bjella	Heckman	Schlafmann
Blair	Hegge	Schmalenberger
Bolmeier	Herk	Schmidt, Logan
Boucher	Hildre	Schmidt, Morton
Brady	Hogoboom	Schnell
Bubel	Hovey	Sellens
Burau	Isaak	Sharpe
Bymers	Johnson, Cass	Severson
Callahan	Johnson, Richland	Shockman
Collette	Jennings	Skaar
Crockett	Klefstad	Smart
Dalzell	Langley	Stair
Devlin	Leet	Stanley
Dittmer	Levin	Sticka
Drawz	Lillehaugen	Still
Drovdal	Lindberg	Stormon
Ekren	Luick	Symington
Engel	Lysne	Thompson, Griggs
Esterby	McInnes	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Westby
Fleck	Monson	Wolf, McIntosh
Forseth	Mork	Wolf, Morton
Frank	Mortenson	Wollitz
Fraser	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Those voting in the negative were:		
Maher	Seibel	Welk
Moe	Thompson, Richl'nd	
Absent and not voting:		
Belzer	Hofstrand	Saumur
Benno	Larson	Schwartz
Haugen	Olson, Bowman	

So the bill passed and the title was agreed to.

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 28-1509 and Section 28-1510 of the North Dakota Revised Code of 1943 (Vol. 3), Relating to Directed Verdicts, and Judgment Notwithstanding Verdict in Civil Actions, in the District Court; and Declaring an Emergency.

Was read the second time.

Rep. Leet moved that the rules be suspended and House Bill No. 278 be amended as follows: In the title of the bill, strike out the period and insert a semi-colon and add the following words "and Declaring an Emergency.", which motion prevailed.

Rep. Leet moved that the rules be suspended and that House Bill No. 278 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Acheson	Gainor	Ohnstad
Allen, Grand Forks	Grenier	Olson, Barnes
Allen, Pierce	Graham	Ostgulen
Anderson	Haag	Rohrer
Arndt	Halcrow	Schimke
Bagge	Halvorson	Schlafmann
Baumgartner	Haugland	Schmalenberger
Belzer	Heckman	Schmidt, Logan
Benno	Hegge	Schmidt, Morton
Bjella	Herk	Schnell
Blair	Hildre	Schwartz
Bolmeier	Hofstrand	Sellens
Boucher	Hogoboom	Severson
Brady	Hovey	Sharpe
Bubel	Isaak	Shockman
Burau	Jennings	Skaar
Bymers	Johnson, Cass	Smart
Callahan	Johnson, Richland	Stair
Collette	Klefstad	Stanley
Dalzell	Larson	Sticka
Devlin	Leet	Still
Dittmer	Levin	Stormon
Drawz	Lindberg	Symington
Drovdal	Luick	Thompson, Griggs
Ekren	Lysne	Thompson, Richl'nd
Engel	McInnes	Tuff
Esterby	Maher	Wambheim
Falconer	Moe	Welk
Fitch	Moerke	Westby
Fleck	Mollet	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Frank	Mork	Yirchott
Fraser	Nystrom	Mr. Speaker
Fuglestad		

Absent and not voting:

Crockett	Mortenson	Sandness
Haugen	Olson, Bowman	Saumur
Langley	Pyle	Seibel
Lillehaugen	Sailer	Wollitz

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict; and Declaring an Emergency.

Was read the second time.

Rep. Leet moved that the rules be suspended and House Bill No. 277 be amended as follows: In the title of the bill, strike out the period and insert a semi-colon and add the following words "and Declaring an Emergency.", which motion prevailed.

Rep. Leet moved that the rules be suspended and that House Bill No. 277 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Acheson	Gainor	Ohnstad
Allen, Grand Forks	Graham	Olson, Barnes
Allen, Pierce	Grenier	Ostgulen
Anderson	Haag	Rohrer
Arndt	Halcrow	Sailer
Bagge	Halvorson	Schlafmann
Baumgartner	Haugen	Schmalenberger
Belzer	Haugland	Schmidt, Logan
Benno	Heckman	Schmidt, Morton
Bjella	Hegge	Schnell
Blair	Herk	Schwartz
Bolmeier	Hildre	Sellens
Boucher	Hofstrand	Severson
Brady	Hogoboom	Sharpe
Bubel	Hovey	Shockman
Burau	Isaak	Skaar
Bymers	Jennings	Smart
Callahan	Johnson, Cass	Stair
Collette	Johnson, Richland	Stanley
Dalzell	Klefstad	Sticka
Devlin	Larson	Still
Dittmer	Leet	Stormon
Drawz	Levin	Symington
Drovdal	Lillehaugen	Thompson, Griggs
Ekren	Lindberg	Thompson, Richl'nd
Engel	Luick	Tuff
Esterby	Lysne	Wambheim
Falconer	Maher	Welk
Fitch	Moe	Westby
Fleck	Moerke	Wolf, McIntosh
Forseth	Mollet	Wolf, Morton
Frank	Mork	Yirchott
Fraser	Nystrom	Mr. Speaker
Fuglestad		

Absent and not voting:

Crockett	Mortenson	Saumur
Langley	Olson, Bowman	Schimke
McInnes	Pyle	Seibel
Monson	Sandness	Wollitz

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial; and Declaring an Emergency.

Was read the second time.

Rep. Leet moved that the rules be suspended and House Bill No. 276 be amended as follows: In the title of the bill strike out the period and insert a semi-colon and add the following words "and Declaring an Emergency." And at the beginning of the title before the word "an" insert the word "For", which motion prevailed.

Rep. Leet moved that the rules be suspended and that House Bill No. 276 be considered properly engrossed and placed on second reading and final passage, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Acheson	Halcrow	Rohrer
Allen, Grand Forks	Halvorson	Sailer
Allen, Pierce	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogboom	Schwartz
Bolmeier	Hovey	Seibel
Boucher	Isaak	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Bureau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Larson	Smart
Collette	Leet	Stair
Dalzell	Levin	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Falconer	Maher	Thompson, Richl'nd
Fleck	Moe	Tuff
Fitch	Moerke	Wambheim
Frank	Mollet	Welk
Fraser	Monson	Westby
Fuglestad	Mork	Wolf, McIntosh
Gainor	Nystrom	Wolf, Morton
Graham	Ohnstad	Wollitz
Grenier	Olson, Barnes	Yirchott
Haag	Ostgulen	Mr. Speaker

Absent and not voting:

Anderson	Forseth	Olson, Bowman
Crockett	Langley	Pyle
Ekren	Mortenson	Schimke
Esterby		

So the bill passed, as amended, and the title was agreed to and the emergency clause was declared carried.

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes, 101; nays, 2; absent and not voting, 9.

## ROLL CALL

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Rohrer



Allen, Pierce	Halcrow	Sailer
Arndt	Halvorson	Sandness
Bagge	Haugen	Saumur
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Sellens
Brady	Isaak	Severson
Bubel	Jennings	Sharpe
Bureau	Johnson, Cass	Shockman
Bymers	Johnson, Richland	Skaar
Callahan	Klefstad	Smart
Collette	Langley	Stair
Crockett	Larson	Stanley
Dalzell	Leet	Sticka
Devlin	Levin	Still
Dittmer	Lillehaugen	Stormon
Drawz	Lindberg	Symington
Drovdal	Luick	Thompson, Griggs
Engel	Lysne	Tuff
Esterby	McInnes	Wambheim
Falconer	Maher	Welk
Fitch	Moerke	Westby
Fleck	Mollet	Wolf, McIntosh
Frank	Monson	Wolf, Morton
Fraser	Mork	Wollitz
Fuglestad	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker
Graham	Olson, Barnes	

Those voting in the negative were:

Moe Thompson, Richland

Absent and not voting:

Anderson	Haugland	Pyle
Ekren	Mortenson	Schimke
Forseth	Olson, Bowman	Seibel

So the bill passed and the title was agreed to.

The House was on the Seventh Order of Business.

Rep. Johnson of Richland moved that House Bill No. 190 be referred to General Orders, which motion prevailed.

Rep. Fitch moved that the vote by which House Bill No. 259 was lost be reconsidered, which motion lost.

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Halcrow	Rohrer
Allen, Grand Forks	Halvorson	Sailer
Allen, Pierce	Haugen	Sandness
Arndt	Haugland	Saumur

Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogoboom	Schwartz
Bolmeier	Hovey	Seibel
Boucher	Isaak	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Bureau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Crockett	Larson	Stair
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	Moe	Thompson, Richland
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Fitch	Monson	Welk
Frank	Mork	Westby
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gainor	Ohnstad	Wollitz
Graham	Olson, Barnes	Yirchott
Grenier	Ostgulen	Mr. Speaker
Haag		

Those voting in the negative were:

McInnes

Absent and not voting:

Anderson	Forseth	Pyle
Collette	Maher	Schimke
Fleck	Olson, Bowman	

So the bill passed and the title was agreed to.

House Concurrent Resolution "V".

Was read the second time.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 60; nays, 46; absent and not voting, 6.

Those voting in the affirmative were:

Allen, Grand Forks	Fitch	Luick
Allen, Pierce	Forseth	Monson
Anderson	Fraser	Mortenson
Bagge	Fuglestad	Mork
Belzer	Gainor	Olson, Barnes
Bjella	Graham	Rohrer
Bolmeier	Grenier	Sandness
Boucher	Halcrow	Saumur
Brady	Halvorson	Schimke
Bubel	Haugen	Schlafmann
Bureau	Haugland	Schmalenberger
Callahan	Heckman	Schmidt, Morton

Collette	Hegge	Schnell
Crockett	Herk	Seibel
Dalzell	Hofstrand	Smart
Devlin	Hovey	Thompson, Griggs
Dittmer	Jennings	Wolf, McIntosh
Drawz	Klefstad	Wolf, Morton
Ekren	Lillehaugen	Yirchott
Falconer	Lindberg	Mr. Speaker

Those voting in the negative were:

Acheson	Leet	Sharpe
Arndt	Levin	Shockman
Baumgartner	Lysne	Skaar
Blair	McInnes	Stair
Bymers	Moe	Stanley
Drovdal	Moerke	Sticka
Engel	Mollet	Still
Esterby	Nystrom	Stormon
Fleck	Ohnstad	Symington
Frank	Ostgulen	Thompson, Rich'nd
Haag	Sailer	Tuff
Hildre	Schmidt, Logan	Wambheim
Hogoboom	Schwartz	Welk
Isaak	Sellens	Westby
Langley	Severson	Wollitz
Larson		

Absent and not voting:

Benno	Johnson, Richland	Olson, Bowman
Johnson, Cass	Maher	Pyle

So the resolution was adopted.

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

Was read the second time.

Rep. Wolf of McIntosh moved that House Bill No. 197 be referred to General Orders, which motion was lost.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 27; absent and not voting, 3.

Those voting in the affirmative were:

Allen, Grand Forks	Halvorson	Ohnstad
Allen, Pierce	Haugen	Olson, Barnes
Anderson	Haugland	Ostgulen
Arndt	Heckman	Pyle
Bagge	Hegge	Rohrer
Benno	Herk	Sandness
Bjella	Hildre	Saumur
Blair	Hofstrand	Schlafmann
Bolmeier	Hogoboom	Schmidt, Morton
Boucher	Hovey	Schnell
Bubel	Jennings	Seibel
Bymers	Johnson, Richland	Sellens
Callahan	Langley	Severson

Dalzell	Leet	Sharpe
Deviin	Levin	Shockman
Dittmer	Lillehaugen	Skaar
Drawz	Lindberg	Smart
Drovdal	Luick	Stanley
Ekren	Lysne	Still
Engel	McInnes	Stormon
Esterby	Maher	Symington
Falconer	Moe	Thompson, Griggs
Forseth	Mollet	Tuff
Fraser	Monson	Wambheim
Fuglestad	Mork	Westby
Gainor	Mortenson	Wollitz
Graham	Nystrom	Mr. Speaker
Grenier		

Those voting in the negative were:

Acheson	Haag	Schmidt, Logan
Baumgartner	Halerow	Schwartz
Belzer	Isaak	Stair
Brady	Johnson, Cass	Sticka
Burau	Larson	Thompson, Richl'nd
Crockett	Moerke	Welk
Fitch	Sailer	Wolf, McIntosh
Fleck	Schimke	Wolf, Morton
Frank	Schmalenberger	Yirchott

Absent and not voting:

Collette	Klefstad	Olson, Bowman
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So the bill passed as amended and the title was agreed to.

Rep. Lillehaugen moved that the vote by which House Bill No. 197 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Wolf of McIntosh: I wish to explain my vote. I am voting "no" on this bill for the reason that the people of North Dakota have turned it down three or four times, last time by 16 or 17 thousand votes. Here we come up here trying to make laws for the smaller towns and let the bigger ones run wide open. I believe it is class legislation. Therefore, I vote "no".

House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 10; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Graham	Ostgulen
Allen, Grand Forks	Grenier	Pyle
Allen, Pierce	Haag	Sailer
Anderson	Halerow	Saumur
Arndt	Halvorson	Schimke
Baumgartner	Haugen	Schlafmann

Belzer	Haugland	Schmalenberger
Benno	Heckman	Schmidt, Logan
Bjella	Hegge	Schmidt, Morton
Bolmeier	Herk	Schnell
Boucher	Hildre	Schwartz
Brady	Hofstrand	Seibel
Bubel	Hogoboom	Sellens
Bureau	Hovey	Severson
Callahan	Jennings	Sharpe
Collette	Johnson, Cass	Skaar
Crockett	Johnson, Richland	Smart
Dalzell	Klefstad	Stair
Devlin	Larson	Stanley
Dittmer	Leet	Sticka
Drawz	Levin	Still
Drovdal	Lillehaugen	Stormon
Ekren	Lysne	Symington
Engel	Luick	Thompson, Griggs
Esterby	Maher	Thompson, Richl'nd
Falconer	Moe	Tuff
Fleck	Moerke	Wambheim
Fitch	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, Morton
Fraser	Nystrom	Wolf, McIntosh
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Blair	McInnes	Sandness
Bymers	Mortenson	Shockman
Isaak	Rohrer	Wollitz
Langley		

Absent and not voting:

Bagge	Lindberg	Olson, Bowman
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So the bill as amended 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. 104 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

- House Bill No. 51.
- House Bill No. 82.
- House Concurrent Resolution "Q".
- Senate Bill No. 4.
- Senate Bill No. 7.
- Senate Bill No. 10.
- Senate Bill No. 18.
- Senate Bill No. 20.
- Senate Bill No. 63.

And the Speaker signed the same in the presence of the House.

Rep. Bolmeier moved to recess thirty minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 19, 1945

Mr. President: I have the honor to transmit:

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, and Declaring an Emergency.

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 19, 1945

Mr. President: I have the honor to return:

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 63. A Bill for an Act to Amend and Re-enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

Mr. Speaker: Your Committee on Drainage and Irrigation, to whom was referred House Bill No. 210, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A BILL" and insert in lieu thereof the following:

For An Act authorizing Board of Flood Irrigation to make levy for drainage within flood irrigation project, providing for assessment for drainage, certification of levy to county auditor, and the land within project subject to such levy.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. ASSESSMENT FOR DRAINAGE.)  
 1a The board of  
 2 flood irrigation of any flood irrigation project shall be  
 3 and is empowered to levy a special tax against all land  
 4 located within any particular pond in the project to be  
 5 used for necessary ditching of lands located within the  
 6 particular pond of the flood irrigation project to procure  
 6a proper  
 7 drainage for such lands. Said board shall annually  
 8 certify to the county auditor the amount that shall be  
 9 required for such drainage purposes during the following  
 10 years. Thereupon the county auditor shall apportion the  
 11 same to the several tracts or parcels of land within such  
 12 pond within the project, the amount which each parcel or  
 13 tract of land shall be assessable within said pond, such  
 14 apportionment to be made on the basis on which the  
 15 original benefits were assessed within the particular pond  
 16 under the provisions of section 61-1222, and shall extend  
 17 such amount upon the tax lists as a special tax on the  
 18 lands in such pond. The taxes so collected for drainage  
 19 shall be credited to a drainage fund for the pond of the  
 20 project involved.

And when so amended recommend the same do pass.

REP. SAILER, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 234, have had the same under consideration and recommend that the same be amended as follows:

Line 79—Change the word "marshall" to read "marshal".

Line 211—After the word "shall" strike out the word "be" and insert in lieu thereof the words "not exceed".

Line 212—After the word "thousand" insert the words "three hundred".

Line 231—After the word “shall” strike out the word “be” and insert in lieu thereof the words “not exceed”.

Line 265—After the word “thousand” insert the words “three hundred”.

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 162, have had the same under consideration and recommend that the same be amended as follows:

After the words “A BILL” strike out all of the title and insert in lieu thereof “For an Act to amend and re-enact Section 39-0424 of the North Dakota Revised Code of 1943, relating to license fees for registration of commercial and non-commercial trucks; providing for the registration of a combination of vehicles upon a gross weight basis.” Strike out lines “1 - 9” inclusive. In line “10” strike out the numeral “2” after the word “Section”, and insert in lieu thereof the numeral “1”. In line “11” strike out the words “Revised Code of North Dakota for”, and insert in lieu thereof “North Dakota Revised Code of”. In line “13” strike out the words “All commercial and” and all of lines 14, 15, 16, 17, and 18, and insert in lieu thereof the following: “All commercial and non-commercial trucks, except vehicles for the transportation of passengers, and vehicles excluded by Section 39-0453, shall pay the following registration fees.” In line “41” strike out the word “twenty-five” and the numerals “(\$25.00)”, and insert in lieu thereof the word “forty-five” and the numerals “(\$45.00)”. Strike out all of Section “3” of the bill. And renumber the lines accordingly.

And when so amended recommend the same do pass.

REP. BAGGE, Chairman.

Rep. Schwartz moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 161, have had the same under consideration and recommend that the same be amended as follows:

In line two of the title after the word “the”, strike out the words “Revised Code of North Dakota for,” and insert in lieu thereof “North Dakota Revised Code of”.

In line two after the word “the” strike out the words “Revised Code of North Dakota for,” and insert in lieu thereof “North Dakota Revised Code of”.

In line twenty-eight after the word “the” strike out the words, “Revised Code of North Dakota for”, and insert in lieu thereof “North Dakota Revised Code of”.

In line seven strike out the word “sixty” and insert in lieu thereof the word “forty-five”.

And when so amended recommend the same do pass.

REP. BAGGE, Chairman.



Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 222, have had the same under consideration and recommend that the same be amended as follows:

In line "36" strike out after the word "section", the figures "39-0429", and insert in lieu thereof "39-0431". In line "56" after the figures "\$150.00" insert the following provision: "provided however, that every private carrier, who is solely engaged in interstate commerce, who shall secure the regular license plates and pay the fees required by law therefor, shall be exempt from the truck-mile tax imposed herein." Add the following sections: "Section 5. The powers and duties conferred and imposed by Sections 39-0426, 39-0427, 39-0428 and 39-0434 of the North Dakota Revised Code of 1943 upon the registrar of motor vehicles are hereby transferred to the Public Service Commission for administration." "Section 6. Section 39-0433 of the North Dakota Revised Code of 1943 is hereby repealed."

And when so amended recommend the same do pass.

REP. BAGGE, Chairman.

Rep. Sharpe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 223, have had the same under consideration and recommend that the same be amended as follows:

In line "4" strike out the word "ruinous" and insert in lieu thereof the word "unfair". In line "13" strike out the word "the" and insert in lieu thereof the word "motor". In line "13" strike out the word "competing" and insert in lieu thereof the word "such". In line "13" strike out the word "by" and insert in lieu thereof the word "with". In line "14" after the word "rail" insert the word "service", and put a period thereafter. In line "14" strike out the words "and motor vehicle". And renumber the lines accordingly.

And when so amended recommend the same do pass.

REP. BAGGE, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 269, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A BILL" and insert in lieu thereof the following: "For an Act providing that any and all highways constructed or reconstructed by the State Highway Department, the county commissioners, township supervisors or their contractors, sub-contractors or agents shall be so designed that the ditches of such highway or highways shall carry off all water running into same so as to prevent overflow upon adjacent land. BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA: Section 1. That any and all highways of any kind hereafter constructed or reconstructed by the State Highway Department, any board of county commis-

sioners, any board of township supervisors, their contractors, sub-contractors or agents, or by any individual firm or corporation, shall be so designed as to permit the waters running into such ditches to drain into coulees, rivers and lakes according to the surface and terrain where such highway or highways are constructed in accordance with scientific highway construction and engineering so as to avoid the waters flowing into and accumulating in the ditches to overflow adjacent and adjoining lands. It is the intention of this act that in the construction of highways, as herein provided, the natural flow and drainage of surface waters shall not be obstructed, but that such water shall be permitted to follow the natural courses according to the surface and terrain of the particular terrain."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

REP. BAGGE, Chairman.

Rep. Sailer moved that the report be adopted, which motion prevailed and the report was adopted.

#### GENERAL ORDERS

Rep. Olson of Barnes moved that the House resolve itself into a committee of the whole for the consideration of general orders, which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Olson of Barnes to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 195.

After the word "law" in line 10 strike out the comma and insert "including as to what constitutes first, second and third grade meats"; Strike out line 19 and everything thru line 35 and insert the following: "It shall be the duty of all public eating places to designate by printed or written word on the menu, in a manner equally conspicuous with and immediately adjoining each item of meat offered for sale, whether such meat is first, second or third grade meat.

The violation of this Act shall be deemed a misdemeanor and punishable by a fine of not more than One Hundred Dollars (\$100.00) or thirty (30) days in jail."

And when so amended recommend the same do pass.

House Bill No. 150.

In line 23 of the printed bill strike out the words "sixty-five per cent" and in lieu thereof insert the words "one-half". In line 24 of the printed bill following the letters "ity" and before the word "and" insert the following language: "plus the amount of the part of any such loan guaranteed by the United States." Following line 37 of the printed bill, add "Section 2: Nothing in this Act shall be construed to amend or repeal any of the powers conferred under the provisions of Section 6-0348 of the North Dakota Revised Code of 1943.

And in the title after the words and figures "Section 6-0915" add the words and figures "and Section 6-0348" and renumber the lines.

And recommend the same do pass as amended by the Standing Committee and further amended by the Committee of the Whole.

House Bill No. 83.

Line 4—Strike out the figure "7" and insert in lieu thereof the figure "5". Insert a new line as follows:

"42a It shall take over and perform the powers and duties of the Post War Planning Board."

Line 59—After the word "witnesses," strike out the word "either".

Line 60—After the words "residing within" strike out the words "or without".

Line 141—Strike out the figures "\$25,000.00" and insert in lieu thereof the figures "\$20,000.00".

And further amend by renumbering the lines.

After the period in line 8 and before the word "Any" insert the following: "In the House of Representatives such committee members shall be chosen from the list of 9 members recommended by each political faction and shall be divided equally between such factions."

In line 122 after the word "public" insert the words and figures "at least 15 days". In line 125 after the word "member" insert the word "elect".

Strike out all of Section 3 and renumber the Sections.

In line 15 on page 2 after the word "of" strike out the balance of the section and insert in lieu thereof the words "the term to which he or she was elected".

After line 42a insert the following: "It shall prepare proposed bills and resolutions for consideration of the succeeding legislature."

And recommend the same do pass as amended by the Standing Committee and further amended by the Committee of the Whole.

House Bill No. 279.

Strike out in their entirety lines 15, 16, 17 and 18 of the bill and substitute in lieu thereof the following:

"Provided, however, in the case of the county road and bridge fund, the proportion of such available surplus which was derived from direct property tax shall be deducted. (Period) Such deduction shall be that proportion of the total road and bridge fund available for any year which the direct property tax for that year bears to the total fund."

In the title of the bill after the word "levies" strike out the semi-colon and add a comma and the following words "and providing for a levy of two mills for a post-war road and bridge program;". After line 24 insert the following: "5. Provided, however, that Counties may levy not to exceed two mills for county road and bridge purposes for the years 1945, 1946 and 1947, which levy shall be in addition to levies now permitted by law, for a post-war road improvement program." And renumber the lines.

And recommend the same do pass as amended by the Standing Committee and further amended by the Committee of the Whole.

House Bill No. 114.

In the title to the bill, on line 2 strike out the words "wages, salaries and commissions". In line 3 of the title strike out the word "including", and after the word "penalties" add the words "on wages". In line 4 of the title strike out the word "thereof". In line 2 of the bill strike out the word "wages". In line 4 of the bill strike out the words "overtime, damages, fees, and penalties".

And when so amended recommend the same do pass.

House Bill No. 97.

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

For an Act amending and re-enacting Section 28-0619 of the North Dakota Revised Code of 1943 relating to the service of Summons and Proof of Service thereof;

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

Section 1. AMENDMENT.) That Section 28-0619 of the North Dakota Revised Code of 1943 be amended and re-enacted to read as follows:

28-0619. BY WHOM SUMMONS SERVED. The summons shall be served any place within the county by a sheriff, chief of police, policeman, village marshal, constable, or by some person specially appointed by the Court to make said service and who shall not be either the plaintiff or his attorney. The service shall be made and the Summons returned, with proof of service, to the person whose name is subscribed thereto, with all reasonable diligence. The person subscribing the summons, at his option, by an endorsement on the Summons, may fix a time for the service thereof, and the service then shall be made accordingly.

And renumber the lines.

And recommend that the same do pass as amended by the Committee of the Whole.

House Bill No. 96.

Strike out lines 4 to 11 inclusive and insert in lieu thereof the following:

33-0209. SERVICE OF SUMMONS: FEES FOR SERVICE. The Summons in a civil action in a justice court shall be served any place within the county by a sheriff, chief of police, policeman, village marshal or constable, and must be served and returned with proof of service in the manner prescribed for personal service of a summons in a district court action unless service is made by publication as provided in this chapter. The officials named in this section are entitled to receive the same fees and mileage as are allowed by law to sheriffs for such service, and such fees may be charged as costs in the action.

And renumber the lines.

And recommend that the same do pass as recommended by the Committee of the Whole.

## House Bill No. 185.

In line 11 after the word "between" strike out the rest of the line and insert the following: "the 15th day of June and the 15th day of". In line 12 strike out the numerals and letters "15th" and insert in lieu thereof the numeral and letters "1st.". In line 23 after the word "writing" and before the word "by" insert the following: "by personal service or". In line 30 after the word "the" strike out the rest of the line and insert the following: "15th day of June and 15th day of July." And in line 31 strike out the numerals and letters "15th" and insert in lieu thereof the numeral and letters "1st" and renumber the lines.

And when so amended recommend the same do pass.

REP. OLSON of Barnes, Chairman,  
Committee of the Whole.

Rep. Westby moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

## MESSAGE FROM THE GOVERNOR

State of North Dakota  
OFFICE OF THE GOVERNOR

Bismarck, February 19, 1945

Members of the House of Representatives  
Twenty-ninth Legislative Assembly  
House Chambers  
Bismarck, North Dakota

Gentlemen:

I am herewith returning without my approval House Bill Number 84, An Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

In the public mind there is some question about the constitutionality of this Bill. The Attorney General has indicated to me that it is the opinion of his office that this Bill is constitutional. In support of his opinion is the decision of the Supreme Court of South Dakota in upholding the constitutionality by a three to two vote on a similar statute passed in 1921 by the Legislative Assembly of that State, and also the decision of the Supreme Court of the State of Washington handed down in February, 1941, in which by a seven to two decision it upheld the constitutionality of a similar statute passed in that State. Where the line is as closely drawn as it is in this case we could pass the matter on to the Attorney General and the Supreme Court to make the final decision.

As Governor I must base my decision on this Bill upon the question of public policy and also upon the question of the wishes of the people.

Since 1889 we have held the popular interpretation that the salary and the expense as measured by the mileage allowance is determined by the Constitution for the members of the Legislature, and that there should be no change without Constitutional Amendment. This has been good public policy. In the difficult task that the Legislature has of holding down the requests for increased appropriations and the requests for increased salaries for others it is desirable that they be armed with the fortitude of knowing that they will not and can not increase their own salaries either by

direct salary adjustment or indirectly through the allowance of expense money. I do know that that is the majority of opinion that has prevailed among the members of our Legislature for over fifty years, and I don't think that it should be changed now.

That the compensation for the members of the Legislature is too low there is no question. I urge you to pass a Concurrent Resolution providing for a Constitutional Amendment and sincerely hope that the people will approve it.

Very respectfully,

FRED G. AANDAHL,  
Governor of North Dakota.

Speaker Bergesen: The Constitution provides that the House in which the bill originates shall enter the objections at large upon the Journal and proceed to reconsider it.

Rep. Graham moved that House Bill No. 84 be reconsidered.

Rep. Johnson of Cass offered as a substitute motion that the House sustain the veto by the Governor.

Rep. Graham arose to a point of order.

Rep. Graham stated no motion was in order other than a motion to reconsider.

Rep. Johnson of Cass requested a ruling from the Chair.

The Speaker ruled that by the wording of the Constitution the only motion in order is a motion to reconsider.

Rep. Graham demanded a call of the House.

The roll was called and all members were present except Reps. Bagge, Burau, Collette, Mortenson, Olson of Bowman, and Rohrer.

The Sergeant-at-arms was instructed to bring in the absent members.

The Sergeant-at-arms reported all members present except Rep. Olson of Bowman.

Rep. Fitch moved that the Call of the House be dispensed with, which motion prevailed.

The question was on the motion of Rep. Graham that action on House Bill No. 84 be reconsidered, which motion prevailed and House Bill No. 84 was before the House.

#### SECOND READING OF HOUSE BILLS

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, 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, 15; absent and not voting, 1.

Those voting in the affirmative were:

Acheson	Haag	Sailer
Allen, Grand Forks	Halvorson	Sandness
Anderson	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Hofstrand	Schmidt, Logan
Bolmeier	Hogoboom	Schmidt, Morton
Boucher	Hovey	Schnell
Brady	Isaak	Schwartz

Burau	Jennings	Seibel
Bymers	Johnson, Richland	Severson
Callahan	Klefstad	Sharpe
Collette	Larson	Shockman
Crockett	Leet	Skaar
Dalzell	Levin	Stair
Devlin	Lindberg	Stanley
Dittmer	Luick	Sticka
Drawz	McInnes	Still
Drovdal	Maher	Stormon
Engel	Moe	Symington
Esterby	Moerke	Thompson, Griggs
Falconer	Mollet	Thompson, Rich'nd
Fitch	Monson	Tuff
Fleck	Mork	Wambheim
Forseth	Mortenson	Welk
Frank	Nystrom	Westby
Fraser	Ohnstad	Wolf, McIntosh
Fuglestad	Olson, Barnes	Wolf, Morton
Gainor	Ostgulen	Wollitz
Graham	Pyle	Yirchott
Grenier	Rohrer	Mr. Speaker
Those voting in the negative were:		
Allen, Pierce	Ekren	Langley
Arndt	Halcrow	Lillehaugen
Bjella	Herk	Lysne
Blair	Hildre	Sellens
Bubel	Johnson, Cass	Smart

Absent and not voting:  
Olson, Bowman

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Graham moved that the vote by which House Bill No. 84 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Engel: I wish to explain my vote. The other day I voted "no". The reason I voted "no" was that it was unconstitutional. At this time the ruling is given to us by the Attorney General that it can be made constitutional and, therefore, I vote "aye".

Rep. Frank: I wish to explain my vote. When I was elected as a representative I knew I was getting only \$5.00 and I was satisfied. I was kind of on the spot so I voted "no" but this question has been brought up to us every day so in order to find out whether or not it is constitutional, I vote "aye".

Rep. Bymers moved that the vote by which House Bill No. 259 was lost be reconsidered.

Rep. Johnson of Cass arose to a point of personal privilege.

The Speaker called Rep. Heckman to the Chair.

Rep. Bergesen took the floor in support of the motion of Rep. Bymers.

The question was on the motion of Rep. Bymers, which motion prevailed.

The Speaker resumed the Chair.

Rep. Fitch moved that House Bill No. 259 be placed at the head of the Calendar, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 85; nays, 25; absent and not voting, 2.

Those voting in the affirmative were:

Acheson	Graham	Pyle
Allen, Grand Forks	Grenier	Sailer
Allen, Pierce	Haag	Sandness
Anderson	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Heckman	Schmalenberger
Belzer	Hegge	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Hovey	Seibel
Boucher	Jennings	Sellens
Brady	Johnson, Richland	Sharpe
Burau	Klefstad	Shockman
Bymers	Langley	Skaar
Callahan	Larson	Sticka
Collette	Leet	Still
Crockett	Levin	Stormon
Dalzell	Lindberg	Symington
Devlin	Luick	Thompson, Griggs
Dittmer	McInnes	Thompson, Rich'nd
Drawz	Maher	Tuff
Drovdal	Moerke	Wambheim
Esterby	Mollet	Welk
Fitch	Mork	Westby
Fleck	Mortenson	Wolf, McIntosh
Forseth	Nystrom	Wollitz
Fraser	Ohnstad	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Gainor		

Those voting in the negative were:

Arndt	Hofstrand	Rohrer
Bubel	Isaak	Schlafmann
Ekren	Johnson, Cass	Schwartz
Engel	Lillehaugen	Severson
Falconer	Lysne	Smart
Frank	Moe	Stair
Halcrow	Monson	Stanley
Halvorson	Ostgulen	Wolf, Morton
Herk		

Absent and not voting:

Bjella                      Olson, Bowman

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Graham moved that the vote by which House Bill No. 259 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.



Rep. Lillehaugen: I vote "no" and wish to explain my vote. Rep. Johnson of Cass asked the support of this Assembly on this particular measure and to me Rep. Johnson is entitled to the support of this Assembly. He knows the conditions in Cass County and we on the Appropriations Committee have watched the work of Mr. Johnson for the past six weeks.

I want to say right here that he is entitled to our support due to his work on that Committee. I am a member of the minority faction and Mr. Johnson a member of the majority faction but I believe in giving the devil his dues. I don't think there is a man in this Assembly who could handle the Appropriations Committee as Johnson has done. With his broad experience and his clear way of thinking, he is the best man in the Assembly for Chairman of that Committee and is entitled to our support.

Rep. Bymers moved that the House recess until 10:30 o'clock a. m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

FORTY-NINTH DAY AFTER RECESS

Bismarck, February 20, 1945

The House reconvened at 10:30 o'clock a. m., pursuant to recess taken, Speaker Bergesen presiding.

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 97.  
House Bill No. 96.  
House Bill No. 114.  
House Bill No. 122.  
House Bill No. 183.  
House Bill No. 185.  
House Bill No. 195.  
House Bill No. 276.  
House Bill No. 277.  
House Bill No. 278.  
House Bill No. 279.  
House Bill No. 150.

And find the same correctly Engrossed.

REP. LEET, 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 bill:

House Bill No. 212.

And find the same correctly Re-engrossed.

REP. LEET, 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 Ways and Means to whom was referred House Bill No. 241, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Fraser 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. 168, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that the vote by which House Bill No. 168 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 265, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the vote by which House Bill No. 265 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 74, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Westby 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. 262, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Benno moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Sailer moved that the vote by which House Bill No. 262 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 263, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Pyle moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Welk moved that the vote by which House Bill No. 263 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 264, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Wollitz moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that the vote by which House Bill No. 264 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 261, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Bubel offered as a substitute motion that House Bill No. 261 be referred to General Orders, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 89, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Pyle moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that the vote by which House Bill No. 89 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 253, have had the same under consideration and recommend that the same be amended as follows:

In line 18 after the period add the following sentence: "This act shall not be in force and effect until July 1st, 1947."

And re-number the lines.

And when so amended recommend the same do pass.

REP. FITCH, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the rules be suspended and House Bill No. 253 be amended as recommended by the Standing Committee report, which motion prevailed, and the Amendments were adopted and House Bill No. 253 placed on the Calendar.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 78, have had the same under consideration and recommend the same without recommendation.

REP. FITCH, Chairman.

Rep. Fitch moved that House Bill No. 78 be placed on the Calendar following House Bill No. 83, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 177, have had the same under consideration and recommend that the same be amended as follows:

In the third and fourth lines of the title strike out the words "and requiring a bond."

In line 14 of the bill after the word "cars" insert the word "are".

Strike out all of line 17 following the period after the word

"him" and strike out lines 18 to 44 both inclusive and insert in lieu thereof the following: "Application for such license and renewal thereof, shall be made to the registrar of motor vehicles, shall be in writing, and duly verified by oath. The applicant shall submit such information as said registrar may require, upon blanks provided by the registrar for such purpose. No application shall be granted nor a license issued to anyone until and unless the applicant shall furnish proof satisfactory to the registrar of the fact that the applicant has an established place of business, and has, or has the use of, facilities and equipment for the maintenance, servicing and repair of motor vehicles. An established place of business when used in this act shall mean a permanent enclosed building or structure either owned in fee or leased, at which a permanent business of bartering, trading and selling of motor vehicles will be carried on as such in good faith and not for the purpose of evading this act. Said place of business shall not mean residences, tents, temporary stands or other temporary quarters, nor permanent quarters occupied pursuant to any temporary arrangement. If the licensee desires to remove from the established place of business occupies when the license is granted, to a new location, he shall first secure from the registrar of motor vehicles permission to do so. He shall be required to furnish proof satisfactory to the registrar that the premises to which he proposes to remove conform to the requirements hereinbefore set forth.

In line 47 strike out the words "five (5)" and insert "ten (10)".

In line 56 after the word "felony," insert "or shall have ceased to have an established place of business as herein required."

And when so amended recommend the same do pass.

REP. FITCH, Chairman.

Rep. Ostgulen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Welfare to whom was referred House Bill No. 215, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, substitute a comma for the period at the end of the present title and insert the following: "and repealing Section 6 of Chapter 221 of the Session Laws of 1943."

After line 61 of the bill, add the following: "Section 3. REPEAL.) That Section 6 of Chapter 221 of the Session Laws of North Dakota for 1943, providing that the provisions of said Chapter 221 shall terminate on June 30, 1945, is hereby repealed, it being the intention that said Chapter 221 of the Session Laws of 1943 as incorporated in the North Dakota Revised Code of 1943 shall continue in full force and effect."

Renumber the lines.

And when so amended recommend the same do pass.

REP. HAUGLAND, Chairman.

Rep. Bagge moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Welfare to whom was referred House Bill No. 214, have had the same under consideration and recommend that the same be amended as follows:

After the word "assistance" in line 33, strike out the semicolon and substitute a comma and then insert the following: "except that, in order to establish eligibility for old age assistance in North Dakota, any person who is eligible for old age assistance in another state shall be required to reside in North Dakota for the same period of time as a person moving from North Dakota to such other state would be required to reside, under such other state's laws or regulations, in order to establish eligibility under such other state's old age assistance program;"

In line 40 of the Bill, after the word "begun" strike out the semicolon and insert the following: "unless, during the period of such absence, he has established eligibility for old age assistance in another state;"

After the semicolon following the word "agency" in line 49 of the printed bill, add Section 6, reading as follows: "6. Has no child or other relative of sufficient financial ability to support him, who is responsible under the law for his support, provided, however, that if such child or other relative refuses or neglects to provide necessary assistance such refusal or neglect shall not make such applicant ineligible for assistance to the needy aged;"

In line 50, strike out the figure "6" and insert in lieu thereof the figure "7".

Renumber the lines.

And when so amended recommend the same do pass.

REP. HAUGLAND, Chairman.

Rep. Falconer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 236, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Richland, Chairman.

Rep. Fitch offered as a substitute motion that House Bill No. 236 be referred to General Orders, which motion prevailed.

Mr. Speaker: Your Committee on Public Welfare to whom was referred House Bill No. 221, 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.

Rep. Johnson of Richland moved that House Bill No. 151 be re-referred to General Orders, which motion prevailed.

Rep. Johnson of Richland moved that we recess for one hour, which motion prevailed.

The House reconvened after a one-hour recess, Speaker Bergesen presiding.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: The Majority of your Committee on Insur-

ance to whom was referred House Bill No. 231, have had the same under consideration and recommend that the same do pass.

REP. CROCKETT  
 REP. SEIBEL  
 REP. SCHIMKE  
 REP. MOE  
 REP. FITCH  
 REP. MORTENSON

Mr. Speaker: The Minority of your Committee on Insurance to whom was referred House Bill No. 231, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. ALLEN of Grand Forks  
 REP. BAGGE  
 REP. MOLLET  
 REP. WOLF of Morton  
 REP. MOERKE  
 REP. SHARPE

REP. ALLEN of Grand Forks, Chairman.

Rep. Johnson of Richland moved that the report of the Minority be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Richland moved that the vote by which House Bill No. 231 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber  
 Bismarck, February 20, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.  
 Senate Chamber  
 Bismarck, February 20, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund,

After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, and Declaring an Emergency.

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945 to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 20, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural College at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 20, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Section 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Senate Bill No. 196. A Bill for an Act to Amend and Re-



enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Forclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 57-1604 and Section 57-1606 of the North Dakota Revised Code of 1943 Relating to Elections to Authorize Excess Levies and Providing the Form of Ballot in School District Elections.

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 24-0105 of the North Dakota Revised Code of 1943, Relating to the Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Such Highways.

Which the Senate has passed and your favorable consideration is requested:

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 20, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 32. A Bill for an Act Transferring to the Veterans Post-War Rehabilitation Reserve Fund the Sum of Five Hundred Thousand Dollars (\$500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Senate Bill No. 86. A Bill for an Act to Deny to Defeated Candidates for Nomination to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office for Which They Were Defeated and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Senate Bill No. 93. A Bill for an Act to Regulate Primary and General Elections and to Facilitate the Participation Therein of Electors Engaged in the Military or Naval Service or in the Merchant Marine of the United States and to Amend and Re-enact Sections 16-0107, 16-0402, 16-0403, 16-0404, 16-0405, 16-0406, 16-0408, 16-0412, 16-0503, 16-0504, 16-0505, 16-0807, 16-1701, 16-1703, 16-1801, 16-1804, 16-1805, 16-1806, 16-1808, 16-1811, 16-1813, and 16-1814 of the North Dakota Revised Code of 1943; and to Repeal Section 16-1812 of the North Dakota Revised Code of 1943 and Chapter 16- (House Bill No. 3), and Chapter 17 (House Bill No. 9), Chapter 18 (House Bill No. 4), Chapter 19 (House Bill No. 11), Chapter 20 (House Bill No. 10), Chapter 21 (House Bill No. 2), Chapter 22 (House Bill No. 13), Chapter 23 (House Bill No. 8), Chapter 24 (House Bill No. 5), Chapter 25 (House Bill No. 7), and Chapter 26 (House Bill No. 12), of the Authenticated Edition of the Special Session Laws of 1944.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 57-1705 of the North Dakota Revised Code of 1943, Relating to the Vote Required to Grant Authority for Excess Levies in Counties, Municipalities and Townships; Providing That Such Excess Levy May Be for Five Years; and Declaring an Emergency.

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings, Specifications, Procedures, and Other Actions Preliminary to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 Revised Code 1943, Pertaining to the Duties of the State Dairy Commissioner and Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the Revised Code of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code of 1943, Relating to the Oath of Office, Filling of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 227, have had the same under consideration and recommend that the same be amended as follows:

In line 65 after the period after the word "Act" insert the following: "Provided, however, that contents as described in this Act belonging to the State or political subdivision may be insured with a stock or mutual insurance company."

And when so amended recommend the same do pass.

REP. ALLEN of Grand Forks, Chairman.

Rep. Schimke moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 254, have had the same under consideration and recommend that the same be amended as follows:

In line 23 strike out the word "except" and insert in lieu thereof the word "including".

In line 26 strike out the figures "26-2221" and insert in lieu thereof the figures "26-2211".

In line 34 after the comma after the words "soy-beans" delete the words "bromus grass, crested wheat grass, sudan" and in line 35 delete the word "grass".

In line 147 strike out the word "also".

In line 177 after the word "shall" insert the following words "within 24 hours" and after the word "or" strike out the following words, "within 24 hours".

In line 271 after the word "signed" strike out the word "the".

In line 273 after the word "Commissioner" change the period to a comma and insert the following words, "and delivered as provided by this Act."

And renumber lines as necessary.

And when so amended recommend the same do pass.

REP. ALLEN of Grand Forks, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Allen of Grand Gorks moved that the rules be suspended and House Bill No. 254 be amended as recommended by the Standing Committee report, which motion prevailed, and the Amendments were declared adopted and House Bill No. 254 placed on the Calendar.

Mr. Speaker: Your Committee on Insurance, to whom was referred House Bill No. 232, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. ALLEN of Grand Forks, Chairman.

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance, to whom was referred House Bill No. 202, have had the same under consideration and recommend the same without recommendation.

REP. ALLEN of Grand Forks, Chairman.

Rep. Fitch moved that House Bill No. 202 be placed at the foot of the Calendar, which motion prevailed.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 37 made the following report:

Mr. Speaker: Your Conference Committee, to whom was referred House Bill No. 37, have had the same under consideration and recommend:

That the Senate recede from its amendments on line 22

by striking out the words and figures "fifty per cent" and in lieu thereof insert the following: "a majority".

And when so amended recommend the same do pass.

For the Senate:

WALTER BOND  
RILIE R. MORGAN  
J. B. BRIDSTON

For the House:

D. S. BLAIR  
PALMER LEVIN  
DAVE HOVEY

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the rules be suspended and that House Bill No. 37 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 4; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Halcrow	Rohrer
Allen, Grand Forks	Halvorson	Sailer
Allen, Pierce	Haugen	Sandness
Anderson	Heckman	Saumur
Bagge	Hegge	Schimke
Baumgartner	Herk	Schlafmann
Belzer	Hildre	Schmalenberger
Bjella	Hogoboom	Schmidt, Logan
Blair	Hofstrand	Schmidt, Morton
Bolmeier	Hovey	Schnell
Boucher	Isaak	Schwartz
Brady	Jennings	Sellens
Bubel	Johnson, Richland	Séverson
Bureau	Klefstad	Sharpe
Callahan	Langley	Shockman
Collette	Larson	Skaar
Dalzell	Leet	Smart
Devlin	Levin	Stair
Dittmer	Lillehaugen	Stanley
Drawz	Lindberg	Sticka
Drovdal	Luick	Still
Engel	Lysne	Stormon
Esterby	McInnes	Symington
Falconer	Maher	Thompson, Griggs
Fitch	Moerke	Thompson, Rich'nd
Fleck	Mollet	Tuff
Forseth	Monson	Wambheim
Frank	Mork	Welk
Fraser	Mortenson	Westby

Fuglestad	Nystrom	Wolf, McIntosh
Gainor	Ohnstad	Wolf, Morton
Graham	Olson, Barnes	Wollitz
Grenier	Ostgulen	Yirchott
Haag	Pyle	Mr. Speaker

Those voting in the negative were:

Bymers	Moe	Seibel
Crockett		

Absent and not voting:

Arndt	Ekren	Johnson, Cass
Benno	Haugland	Olson, Bowman

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolutions:

House Bill No. 15.  
House Bill No. 68.  
House Bill No. 81.  
House Resolution No. 1.  
House Resolution No. 2.

And find the same correctly Enrolled.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 83.

And find the same correctly Engrossed.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass introduced the Report of the Interim Investigating Committee established by Chapter 29 of the Extraordinary Session of the Twenty-eighth Legislative Assembly.

Rep. Johnson of Richland moved that the Report of the Interim Legislative Investigating Committee be received, which motion prevailed and the report was received.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

Which the House has passed over the Governor's veto and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

Rep. Blair, Chairman of the Employment Committee, reported that Lucille E. Monroe has resigned as stenographer and moved that her name be stricken from the payroll, which motion prevailed.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 47.

Senate Bill No. 79.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 15.

House Bill No. 68.

House Bill No. 81.

House Resolution No. 1.

House Resolution No. 2.

And the Speaker signed the same in the presence of the House.

#### FIRST READING OF HOUSE BILLS

Committee on Appropriations (Approved by Delayed Bills Committee) introduced:

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Delayed Bills Committee introduced:

#### HOUSE JOINT RESOLUTION NO. 1

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE JOINING THEREIN:

- 1 WHEREAS, the North Dakota Revised Code of 1943 is
- 2 and has been published and there has been delivered to
- 3 th members of the 28th Legislative Assembly a free
- 4 copy, and
- 5 WHEREAS, several members of said Assembly have
- 5a died
- 6 prior to the distribution of the same, namely, Repre-
- 7 sentative L. L. Twichell, Representative K. L. Boulden
- 8 and Senator W. H. Porter.

9 NOW THEREFORE, BE IT RESOLVED that the  
 9a Secretary  
 10 of State, on behalf of each of said deceased member and  
 11 in full discharge thereof, is hereby authorized to  
 12 deliver free of charge a copy of the North Dakota  
 13 Revised Code of 1943, to which each said deceased member  
 14 would have been entitled, to the following persons:  
 15 On behalf of the late Representative L. L. Twichell to  
 16 Mrs. Mary E. Bignall of Mapleton, North Dakota, his  
 17 niece. On behalf of the late Representative K. L.  
 18 Boulden to Mrs. Fannie Boulden of Larimore, North  
 19 Dakota, his widow. On behalf of the late Senator  
 20 W. H. Porter to Mrs. Luttie Porter of Calvin, North  
 21 Dakota, his widow.

22 AND WHEREAS, the people of the state of North  
 23 Dakota are greatly indebted to certain members of the  
 24 North Dakota Bar who have given unstintingly of their  
 25 time and efforts in bringing the said Code to comple-  
 26 tion as set forth in the Preface to said Code:

27 NOW THEREFORE, BE IT FURTHER RESOLVED  
 27a that as  
 28 partial compensation and in appreciation for such  
 29 services, the Secretary of State hereby is authorized  
 30 to deliver free of charge a copy of the North Dakota  
 31 Revised Code of 1943 to each of the following persons:  
 32 A. M. Kuhfeld; Clyde Duffy; Clyde L. Young; Marion  
 33 Jane Leslie; Paul Agneberg; B. F. Tillotson; Harold  
 34 Hager; Mary Lou DeMouilly; and William R. Pearce.

Was read the first time.

Rep. Larson moved that House Joint Resolution No. 1 be amended to include the name of Leonas Meyer and that a copy of the North Dakota Revised Code of 1943 be sent to Mrs. Leonas Meyers at Bowdon, North Dakota, which motion prevailed.

Rep. Johnson of Richland moved that House Joint Resolution No. 1 as amended be adopted, which motion prevailed and House Joint Resolution No. 1 was adopted.

#### GENERAL ORDERS

Rep. Falconer moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Falconer to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 211.

In line one of the title strike out the last word "and".

In line two strike out the following words "repealing Sections 5-0208 and 5-0209". Strike out all of Section 2 and renumber lines.

And when so amended recommend the same do pass.

House Bill No. 71.

Strike out everything after the words A BILL and insert the following:

For an Act authorizing the Bank of North Dakota to loan money to counties unable to raise sufficient funds by general taxation to carry on their primary governmental functions or to pay their mandatory obligations; providing for the levy of an additional general tax to provide funds for the repayment of such loans with interest; creating a special fund; prohibiting a diversion thereof; and declaring an emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

1 Section 1. The Bank of North Dakota is hereby  
1a authorized  
2 to make loans to counties for the purposes specified by  
2a this  
3 act upon such terms, conditions and under such rules and  
4 regulations as the Industrial Commission may prescribe or  
5 approve, provided however, that upon the completion of  
5a such  
6 loan the county making application therefor shall levy  
7 a general tax upon all of the taxable property of the  
7a county  
8 for the repayment thereof, with interest, when said debt  
9 shall mature.

10 Section 2. Whenever all of the taxes, which any county  
11 is authorized to levy in any one year for general or special  
12 county purposes, are insufficient to carry on the primary  
13 governmental functions, or to pay the mandatory  
13a obligations  
14 imposed by law upon counties, then such counties are  
14a hereby  
15 authorized to borrow money from the Bank of North  
15a Dakota in  
16 such an amount or amounts as the board of county  
16a commission-  
17 ers shall determine to be necessary or sufficient to meet  
18 the deficiencies existing in its general or special funds,  
19 or to carry on its primary governmental functions, and to  
20 pay its mandatory obligations.

21 Section 3. Whenever the board of county commissioners  
22 desire to make a loan from the Bank of North Dakota  
22a for any  
23 of the purposes authorized here, it shall make an  
23a applica-  
24 tion which shall set forth the assessed valuation of the  
25 county, the amount of taxes levied for the current year or  
26 years involved, the status of its general and special funds,  
27 and the amount required to carry on its primary  
27a governmental  
28 functions and to pay its mandatory obligations, and such  
29 other data as the Industrial Commission may require; said  
30 application shall be verified by the certificate of the  
31 county auditor as to the accuracy thereof.

32 Section 4. Upon the approval of an application for a  
33 loan by the Industrial Commission, the board of county  
33a com-  
34 missioners applying for such loan is hereby authorized to  
35 levy a general tax from year to year upon all of the  
35a general  
36 taxable property of the county, not to exceed three mills



37 for any one year, for the purpose of providing funds  
 37a suffi-  
 38 cient to repay the amount of said loan, with interest, at  
 39 the time of maturity. The levy of said tax shall not be  
 40 subject to any existing mill levy limitations for general  
 41 or special county purposes, but shall be in addition there-  
 42 to. Said tax shall be levied and collected at the same  
 43 time and in the same manner as other general or special  
 44 taxes for county purposes are levied and collected.  
 45 Section 5. The board of county commissioners  
 45a authorizing  
 46 the levying of such tax shall establish a special fund in  
 47 the county treasury designated as the "County Loan  
 47a Fund" and  
 48 all moneys collected from the general tax levied for the  
 49 purpose of repaying any loans, with interest, shall be  
 50 deposited to the credit of said special fund and shall be  
 51 used only for the purpose of repaying the principle, with  
 52 accrued interest, due upon loans made by the county as the  
 53 same shall mature, provided however, that the balance, if  
 54 any, remaining in said special fund, after the amount of  
 54a the  
 55 loan, with accrued interest, shall have been paid in full,  
 56 may be transferred by the county commissioners to the  
 56a General  
 57 Fund of the county.  
 58 Section 6. EMERGENCY.) This act is hereby  
 58a declared  
 59 to be an emergency measure and shall be in full force  
 59a and  
 60 effect from and after its approval.

And when so amended recommend the same do pass.

House Bill No. 147.

Strike out everything after A BILL and insert the follow-  
 ing:

For an Act prohibiting sale of alcoholic beverages to certain  
 persons, repealing Sections 5-0210 and 5-0318 of the North  
 Dakota Revised Code of 1943, and declaring an emergency.  
**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY  
 OF THE STATE OF NORTH DAKOTA:**

1 SECTION 1. No person shall sell any alcoholic  
 2 beverages to any person under the age of 21 years,  
 3 incompetent person, Indian as defined by federal law,  
 4 or a person who is an inebriate, or habitual drunkard.  
 5 SECTION 2. REPEAL. Section 5-0210 and Section  
 6 5-0318 of the North Dakota Revised Code of 1943 are  
 7 hereby repealed.  
 8 SECTION 3. EMERGENCY. This Act is hereby de-  
 9 clared to be an emergency measure and shall be in  
 10 full force and effect from and after its passage and  
 11 approval.

And when so amended recommend the same do pass.

House Bill No. 169.

And recommend that the same be indefinitely postponed.

House Bill No. 210.

Strike out everything after the words "A BILL" and insert  
 in lieu thereof the following:

For An Act authorizing Board of Flood Irrigation to make levy for drainage within flood irrigation project, providing for assessment for drainage, certification of levy to county auditor, and the land within project subject to such levy.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. ASSESSMENT FOR DRAINAGE.)

1a The board of  
 2 flood irrigation of any flood irrigation project shall be  
 3 and is empowered to levy a special tax against all land  
 4 located within any particular pond in the project to be  
 5 used for necessary ditching of lands located within the  
 6 particular pond of the flood irrigation project to procure  
 6a proper  
 7 drainage for such lands. Said board shall annually  
 8 certify to the county auditor the amount that shall be  
 9 required for such drainage purposes during the following  
 10 years. Thereupon the county auditor shall apportion the  
 11 same to the several tracts or parcels of land within such  
 12 pond within the project, the amount which each parcel or  
 13 tract of land shall be assessable within said pond, such  
 14 apportionment to be made on the basis on which the  
 15 original benefits were assessed within the particular pond  
 16 under the provisions of section 61-1222 of the North Da-  
 16a kota Revised Code of 1943, and shall extend  
 17 such amount upon the tax lists as a special tax on the  
 18 lands in such pond. The taxes so collected for drainage  
 19 shall be credited to a drainage fund for the pond of the  
 20 project involved.

And when so amended recommend the same do pass.

House Bill No. 234.

Line 79—Change the word “marshall” to read “marshal”.

Line 211—After the word “shall” strike out the word “be” and insert in lieu thereof the words “not exceed”.

Line 212—After the word “thousand” insert the words “three hundred”.

Line 231—After the word “shall” strike out the word “be” and insert in lieu thereof the words “not exceed”.

Line 265—After the word “thousand” insert the words “three hundred”.

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

House Bill No. 162.

After the words “A BILL” strike out all of the title and insert in lieu thereof “For an Act to amend and re-enact Section 39-0424 of the North Dakota Revised Code of 1943, relating to license fees for registration of commercial and non-commercial trucks; providing for the registration of a combination of vehicles upon a gross weight basis.” Strike out lines “1-9” inclusive. In line “10” strike out the numeral “2” after the word “Section”, and insert in lieu thereof the numeral “1”. In line “11” strike out the words “Revised Code of North Dakota for”, and insert in lieu thereof “North Dakota Revised Code of”. In line “13” strike out the words “All commercial and” and all of lines 14, 15, 16, 17, and 18, and insert in lieu thereof the following: “All commercial and

non-commercial trucks, except vehicles for the transportation of passengers, and vehicles excluded by Section 39-0453, shall pay the following registration fees." In line "41" strike out the word "twenty-five" and the numerals "\$(\$25.00)", and insert in lieu thereof the word "forty-five" and the numerals "\$(\$45.00)". Strike out all of Section "3" of the bill. And renumber the lines accordingly.

And when so amended recommend the same do pass.

House Bill No. 161.

In line two of the title after the word "the", strike out the words "Revised Code of North Dakota for," and insert in lieu thereof "North Dakota Revised Code of".

In line two after the word "the", strike out the words "Revised Code of North Dakota for", and insert in lieu thereof "North Dakota Revised Code of".

In line twenty-eight after the word "the" strike out the words, "Revised Code of North Dakota for", and insert in lieu thereof "North Dakota Revised Code of".

In line seven strike out the word "sixty" and insert in lieu thereof the word "forty-five".

And when so amended recommend the same do pass.

House Bill No. 190.

At the end of line eleven strike out the period, insert a comma and add the following:

"Except and unless the Surety or Guarantor shall be furnished by the manufacturer, wholesaler or distributor with a true and correct copy of the Undertaking or Obligation, together with notice of its acceptance by the manufacturer, wholesaler or distributor, either by registered mail or personal delivery and prior to the first shipment of merchandise for which said Surety or Guarantor might become liable and provided further, that the Surety or Guarantor shall have ten days time after receipt of such copy and notice of acceptance during which he may notify the wholesaler, manufacturer or distributor of his intention to withdraw from such undertaking or obligation and provided further that there be printed on, attached to or enclosed with said copy of undertaking or obligation a notice setting forth to such Surety or Guarantor his right to withdraw as provided herein."

Number the lines.

And recommend that the same do pass as amended by the Committee of the Whole.

House Bill No. 222.

In line "36" strike out after the word "section", the figures "39-0429", and insert in lieu thereof "39-0431". In line "56" after the figures "\$150.00" insert the following provision: "provided however, that every private carrier, who is solely engaged in interstate commerce, who shall secure the regular license plates and pay the fees required by law therefor, shall be exempt from the truck-mile tax imposed herein." Add the following sections: "Section 5. The powers and duties conferred and imposed by Sections 39-0426, 39-0427, 39-0428 and 39-0434 of the North Dakota Revised Code of 1943 upon the registrar of motor vehicles are hereby

transferred to the Public Service Commission for administration." "Section 6. Section 39-0433 of the North Dakota Revised Code of 1943 is hereby repealed."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

House Bill No. 223.

In line "4" strike out the word "ruinous" and insert in lieu thereof the word "unfair". In line "13" strike out the word "the" and insert in lieu thereof the word "motor". In line "13" strike out the word "competing" and insert in lieu thereof the word "such". In line "13" strike out the word "by" and insert in lieu thereof the word "with". In line "14" after the word "rail" insert the word "service", and put a period thereafter. In line "14" strike out the words "and motor vehicle". And renumber the lines accordingly.

And when so amended recommend the same do pass.

House Bill No. 269.

Strike out everything after the words "A BILL" and insert in lieu thereof the following: "For an Act providing that any and all highways constructed or reconstructed by the State Highway Department, the county commissioners, township supervisors or their contractors, sub-contractors or agents shall be so designed that the ditches of such highway or highways shall carry off water running into same so as to prevent overflow upon adjacent land. BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA: Section 1. That any and all highways of any kind hereafter constructed or reconstructed by the State Highway Department, any board of county commissioners, any board of township supervisors, their contractors, sub-contractors or agents, or by any individual firm or corporation, shall be so designed as to permit the waters running into such ditches to drain into coulees, rivers and lakes according to the surface and terrain where such highway or highways are constructed in accordance with scientific highway construction and engineering so as to avoid the waters flowing into and accumulating in the ditches to overflow adjacent and adjoining lands. It is the intention of this act that in the construction of highways, as herein provided, the natural flow and drainage of surface waters shall not be obstructed, but that such water shall be permitted to follow the natural courses according to the surface and terrain of the particular terrain."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

House Bill No. 261.

In line 17 after the word "electricity" insert the following: "and provided that said applicant has executed and deposited with the board a surety bond in the sum of \$1,000 conditioned for the faithful performance of all electrical work undertaken by him and the strict compliance with the requirements of the board."

And recommend that the same do pass as amended by the Committee of the Whole.

REP. FALCONER, Chairman,  
Committee of the Whole.

Rep. Bolmeier moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 283, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to return:

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; and Repealing all Acts or Parts of Acts in Conflict Herewith.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for Loss or Damage Arising from the Operation of any Motor Vehicle.

House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All

Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 96 in Stark County, Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations.

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of Said Construction Fund; Fixing a Penalty for Unlawful Withdrawal of Such Construction Fund; and Declaring an Emergency.

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial; and Declaring an Emergency.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict; and Declaring an Emergency.

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 28-1509 and Section 28-1510 of the North Dakota Revised Code of 1943 (Vol. 3), Relating to Directed Verdicts, and Judgment Notwithstanding Verdict in Civil Actions, in the District Court; and Declaring an Emergency.

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 282. A Bill for an Act Making an Appropriation in the Sum of Eleven Thousand Dollars (\$11,000.00), or So Much Thereof as May Be Necessary, to the Board of Administration for the Purchase of Furniture for Legislative Committee Rooms in the State Capitol Building.

House Concurrent Resolution "V".

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, 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 Concurrent Resolution "Q".

Was delivered to the Secretary of State at the hour of 1:30 p. m. o'clock, February 20, 1945.

REP. LEET, Chairman.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that:

House Bill No. 17.

House Bill No. 42.

House Bill No. 50.

House Bill No. 51.

House Bill No. 56.

House Bill No. 82.

House Bill No. 101.

Were delivered to the Governor for his approval at the hour of 1:30 p. m. o'clock, February 20, 1945.

REP. LEET, Chairman.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that:

House Resolution 1.

House Resolution 2.

Were delivered to the Secretary of State at the hour of 4:10 p. m. o'clock, February 20, 1945.

REP. LEET, Chairman.

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee Report on House Bill No. 37.

KENNETH L. MORGAN, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal

Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04, of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Pierce	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Hofstrand	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sellens
Burau	Jennings	Severson
Bymers	Johnson, Cass	Sharpe
Callahan	Johnson, Richland	Shockman
Collette	Klefstad	Skaar
Dalzell	Langley	Smart
Devlin	Larson	Stair
Dittmer	Levin	Stanley
Drawz	Lillehaugen	Sticka
Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Engel	Lysne	Symington
Esterby	McInnes	Thompson, Griggs
Falconer	Maher	Tuff
Fitch	Moe	Wambheim
Fleck	Moerke	Welk
Forseth	Monson	Westby
Fraser	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Graham	Olson, Barnes	Mr. Speaker



Those voting in the negative were:

Leet	Ostgulen	Thompson, Richl'nd
Mollet		

Absent and not voting:

Bubel	Crockett	Olson, Bowman
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So the bill passed as amended and the title was agreed to.

Rep. Fitch moved that the vote by which House Bill No. 62 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Leet: I want to explain my vote. This bill calls for quite a few changes in the law and quite a few corrections of the Code. I think in the future we should entertain corrections in the Code in one bill and changes in the law in another bill. I don't think the two should be together. I vote "no".

Rep. Fitch moved that House Joint Resolution I be printed in the Journal, which motion prevailed.

Rep. Johnson of Cass requested that the records show the delivery to the Secretary of State at 2:15 o'clock today, of a complete report of the Interim Legislative Investigating Committee together with all the original exhibits that were presented to the Committee and that the same are now on file with the Secretary of State.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "J." Proposed Amendment to the Constitution of the State of North Dakota Regarding the Provisions of Section 202 of the Constitution of the State of North Dakota as Amended, Relating to Creation of Permanent Equalization Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 73; nays, 33; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Graham	Ostgulen
Allen, Pierce	Grenier	Rohrer
Anderson	Haag	Saumur
Bagge	Halvorson	Schlafmann
Baumgartner	Haugen	Schmalenberger
Belzer	Haugland	Schmidt, Logan
Benno	Heckman	Schmidt, Morton
Bjella	Hegge	Schnell
Boucher	Hildre	Schwartz
Bubel	Hofstrand	Seibel
Bureau	Hogoboom	Sellens
Bymers	Hovey	Severson
Callahan	Jennings	Sharpe
Devlin	Langley	Shockman
Dittmer	Levin	Smart
Drawz	Lillehaugen	Stair
Drovdal	Lindberg	Sticka
Ekren	Maher	Still
Engel	Moe	Thompson, Richl'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Welk

Forseth	Monson	Wolf, McIntosh
Fraser	Mork	Wolf, Morton
Frank	Ohnstad	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Allen, Grand Forks	Herk	Sailer
Arndt	Isaak	Sandness
Blair	Johnson, Cass	Skaar
Bolmeier	Johnson, Richland	Stanley
Brady	Leet	Stormon
Collette	Luick	Symington
Dalzell	Lysne	Thompson, Griggs
Fitch	McInnes	Wambheim
Fleck	Nystrom	Westby
Gainor	Olson, Barnes	Wollitz
Halcrow	Pyle	Yirchott

Absent and not voting:

Crockett	Larson	Olson, Bowman
Klefstad	Mortenson	Schimke

So the resolution was adopted.

Rep. Moe moved that the vote by which House Concurrent Resolution "J" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Richland: I want to explain my vote and have it recorded in the Journal. I voted "no" on this bill; first, for the reason that there has been absolutely no showing made that the schools on the system we are operating under at the present time need all the money available from the sales tax plus the amount that could be raised by a four mill levy. Second, for the reason that if you are ever going to put your schools on a permanent and sound basis, you are going to have to get away from the idea of getting your money both from the mill levy and the sales tax.

MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 20, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 37.

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on Teacher-Unit Basis, and Providing for Additional Distribution on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 106; nays, 0; absent and not voting 6.

Those voting in the affirmative were:

Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Rohrer

Allen, Pierce	Halvorson	Sailer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogoboom	Schwartz
Bolmeier	Hovey	Seibel
Boucher	Isaak	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Burau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Leet	Stair
Dalzell	Levin	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Richland
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Nystrom	Wolf, Morton
Fuglestad	Ohnstad	Wollitz
Gainor	Olson, Barnes	Yirchott
Graham	Ostgulen	Mr. Speaker
Grenier		
Absent and not voting:		
Crockett	Larson	Olson, Bowman
Fraser	Mortenson	Schimke

So the bill passed as amended and the title was agreed to.

Rep. Westby moved that the vote by which House Bill No. 122 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur

Bagge	Heckman	Schmalenberger
Baumgartner	Hegge	Schmidt, Logan
Belzer	Herk	Schmidt, Morton
Benno	Hildre	Schnell
Bjella	Hofstrand	Schwartz
Blair	Hogoboom	Seibel
Bolmeier	Hovey	Sellens
Boucher	Isaak	Severson
Brady	Jennings	Sharpe
Bubel	Johnson, Cass	Shockman
Bureau	Johnson, Richland	Skaar
Bymers	Klefstad	Smart
Callahan	Langley	Stair
Collette	Leet	Stanley
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Ekren	Maher	Thompson, Rich'nd
Engel	McInnes	Tuff
Esterby	Moe	Wambheim
Falconer	Moerke	Welk
Fitch	Mollet	Westby
Fleck	Mork	Wolf, McIntosh
Forseth	Nystrom	Wolf, Morton
Frank	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Yirchott
Gainor	Ostgulen	Mr. Speaker
Graham		

Those voting in the negative were:

Halvorson            Monson

Absent and not voting:

Crockett	Mortenson	Schimke
Fraser	Olson, Bowman	Schlafmann
Larson		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Fitch moved that the vote by which House Bill No. 189 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Transfer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 85; nays, 18; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Forseth	Moerke
Allen, Grand Forks	Frank	Nystrom
Allen, Pierce	Fuglestad	Olson, Barnes
Anderson	Gainor	Ostgulen

Arndt	Graham	Pyle
Bagge	Grenier	Sailer
Baumgartner	Haag	Sandness
Belzer	Halcrow	Saumur
Benno	Haugland	Schlafmann
Bjella	Heckman	Schmidt, Logan
Blair	Hegge	Schmidt, Morton
Bolmeier	Herk	Schwartz
Boucher	Hildre	Seibel
Brady	Hogoboom	Sellens
Burau	Hovey	Severson
Bymers	Isaak	Sharpe
Callahan	Johnson, Cass	Shockman
Collette	Klefstad	Skaar
Dalzell	Langley	Smart
Devlin	Leet	Stanley
Dittmer	Levin	Still
Drawz	Lillehaugen	Thompson, Griggs
Drovdal	Lindberg	Tuff
Ekren	Luick	Wambheim
Engel	Lysne	Westby
Esterby	McInnes	Wolf, Morton
Falconer	Maher	Wollitz
Fitch	Moe	Yirchott
Fleck		

Those voting in the negative were:

Bubel	Monson	Sticka
Halvorson	Mork	Symington
Haugen	Ohnstad	Thompson, Richl'nd
Hofstrand	Rohrer	Welk
Jennings	Schmalenberger	Wolf, McIntosh
Mollet	Schnell	Mr. Speaker

Absent and not voting:

Crockett	Larson	Schimke
Fraser	Mortenson	Stair
Johnson, Richland	Olson, Bowman	Stormon

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Isaak moved that the vote by which House Bill No. 188 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 183. A Bill for an Act to Amend and Re-enact Section 15-3912 of the North Dakota Revised Code of 1943, Relating to Eligibility to Membership of Teachers in the Teachers Insurance and Retirement Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 52; absent and not voting, 13.

Those voting in the affirmative were:

Allen, Pierce	Fitch	Maher
Anderson	Fleck	Moe
Arndt	Forseth	Ohnstad
Bagge	Gainor	Pyle
Benno	Graham	Sailer
Blair	Grenier	Schmalenberger

Bolmeier	Haugen	Sellens
Boucher	Haugland	Severson
Brady	Herk	Shockman
Bymers	Hildre	Skaar
Callahan	Hovey	Smart
Devlin	Jennings	Stanley
Drawz	Johnson, Cass	Sticka
Drovdal	Klefstad	Tuff
Ekren	Langley	Yirchott
Falconer	Luick	

Those voting in the negative were:

Acheson	Hegge	Saumur
Allen, Grand Forks	Hofstrand	Schlafmann
Baumgartner	Hogoboom	Schmidt, Logan
Belzer	Isaak	Schmidt, Morton
Bjella	Leet	Schnell
Bubel	Levin	Schwartz
Bureau	Lillehaugen	Seibel
Collette	Lindberg	Still
Dalzell	Lysne	Stormon
Dittmer	McInnes	Symington
Engel	Moerke	Thompson, Rich'nd
Esterby	Mollet	Wambheim
Frank	Monson	Welk
Fuglestad	Mork	Wolf, McIntosh
Haag	Nystrom	Wolf, Morton
Halcrow	Ostgulen	Wollitz
Halvorson	Rohrer	Mr. Speaker
Heckman		

Absent and not voting:

Crockett	Olson, Barnes	Sharpe
Fraser	Olson, Bowman	Stair
Johnson, Richland	Sandness	Thompson, Griggs
Larson	Schimke	Westby
Mortenson		

So the bill was lost.

Rep. Dalzell moved that the vote by which House Bill No. 183 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Graham moved that House Bill No. 212 be placed at the foot of the calendar which motion prevailed.

Rep. Lillehaugen moved that House Bill No. 212 be made a special order of business at 8:00 o'clock tonight, which motion prevailed.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of 1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

Was read the second time.

Rep. Sailer moved that House Bill No. 195 be indefinitely postponed, which motion was lost.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 12; absent and not voting, 10.

Those voting in the affirmative were:

Acheson	Gainor	Ostgulen
Allen, Grand Forks	Graham	Rohrer
Anderson	Grenier	Sandness
Arndt	Haag	Saumur
Bagge	Halcrow	Schlafmann
Baumgartner	Halvorson	Schmalenberger
Belzer	Haugen	Schmidt, Logan
Benno	Haugland	Schmidt, Morton
Bjella	Heckman	Schnell
Bolmeier	Hegge	Schwartz
Brady	Hildre	Seibel
Bubel	Hofstrand	Sellens
Bureau	Hovey	Severson
Bymers	Isaak	Sharpe
Callahan	Jennings	Shockman
Collette	Klefstad	Skaar
Dalzell	Langley	Smart
Devlin	Leet	Stanley
Dittmer	Levin	Sticka
Drawz	Lillehaugen	Still
Drovdal	Lindberg	Stormon
Ekren	Luick	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Thompson, Rich'nd
Falconer	Moerke	Tuff
Fitch	Mollet	Welk
Fleck	Monson	Wolf, McIntosh
Forseth	Mork	Wolf, Morton
Frank	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Allen, Pierce	Hogoboom	Nystrom
Blair	Johnson, Cass	Pyle
Boucher	Lysne	Sailer
Herk	Moe	Yirchott

Absent and not voting:

Crockett	Mortenson	Stair
Fraser	Olson, Bowman	Wambheim
Johnson, Richland	Schimke	Westby
Larson		

So the bill passed as amended and the title was agreed to.

Rep. Sailer moved that the vote by which House Bill No. 195 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Halvorson moved that the House recess for one hour, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

House Bill No. 150. A Bill for an Act Permitting the Bank of North Dakota to Transfer Funds to Other State Departments, to Make Loans and Extend Credit Under Limitations, and Providing Method of Obtaining Additional Funds; Amending and Re-enacting Section 6-0915 of the North Dakota Revised Code of 1943.

Was read the second time.

Rep. Callahan moved that the rules be suspended and House Bill No. 150 be amended by inserting the word "Appraised" between the words "the" and "value", which motion prevailed.

Rep. Wolf of McIntosh moved that the rules be suspended and that House Bill No. 150 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 4; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Halvorson	Sailer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Bubel	Jennings	Sellens
Bureau	Johnson, Richland	Severson
Bymers	Klefstad	Sharpe
Callahan	Langley	Shockman
Dalzell	Leet	Skaar
Devlin	Levin	Smart
Dittmer	Lillehaugen	Stanley
Drawz	Lindberg	Sticka
Drovdal	Luick	Still
Ekren	Lysne	Stormon
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Thompson, Richland
Falconer	Moe	Tuff
Fleck	Moerke	Wambheim
Fitch	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gainor	Nystrom	Wollitz
Graham	Ohnstad	Yirchott
Grenier	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Brady	Johnson, Cass	Symington
Isaak		

Absent and not voting:

Blair	Fraser	Rohrer
Collette	Larson	Schimke
Crockett	Olson, Bowman	Stair

So the bill passed as amended and the title was agreed to.

Rep. Seibel moved that the vote by which House Bill No. 150 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.



## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "J." Proposed Amendment to the Constitution of the State of North Dakota Regarding the Provisions of Section 202 of the Constitution of the State of North Dakota as Amended, Relating to Creation of Permanent Equalization Fund.

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on tion on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Transfer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of 1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

## SECOND READING OF HOUSE BILLS

Rep. Symington moved that House Concurrent Resolution "L" be placed in General Orders, which motion prevailed.

House Bill No. 148. A Bill for an Act Limiting the Amount of Bonds Issued and Outstanding, and Providing for the Payment of Administration Charge to the Bank of North Dakota; Amending and Re-enacting Section 54-3023 of the North Dakota Revised Code of 1943.

Was read the second time.

Rep. Bolmeier moved that House Bill No. 148 be indefinitely postponed, which motion prevailed.

Rep. Bolmeier moved that the vote by which House Bill No. 148 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 72; nays, 33; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Fuglestad	Ohnstad
Allen, Grand Forks	Gainor	Olson, Barnes
Allen, Pierce	Grenier	Pyle
Arndt	Halcrow	Sailer
Bagge	Halvorson	Sandness
Baumgartner	Haugen	Saumur
Benno	Haugland	Schnell
Bjella	Heckman	Sellens
Blair	Herk	Severson
Bolmeier	Hildre	Sharpe
Boucher	Hofstrand	Skaar
Brady	Hogoboom	Smart
Bureau	Hovey	Stanley
Bymers	Johnson, Cass	Sticka
Callahan	Johnson, Richland	Still
Dalzell	Klefstad	Stormon
Devlin	Langley	Symington
Drawz	Leet	Thompson, Griggs
Ekren	Lillehaugen	Wambheim
Esterby	Luick	Westby
Falconer	Lysne	Wolf, Morton
Fitch	McInnes	Wollitz
Fleck	Maher	Yirchott
Forseth	Nystrom	Mr. Speaker

Those voting in the negative were:

Anderson	Jennings	Schmalenberger
Belzer	Levin	Schmidt, Logan
Bubel	Lindberg	Schmidt, Morton
Dittmer	Moe	Schwartz
Drovdal	Moerke	Seibel
Engel	Mollet	Shockman
Frank	Monson	Stair
Graham	Mork	Thompson, Richl'nd
Haag	Mortenson	Tuff
Hegge	Ostgulen	Welk
Isaak	Schlafmann	Wolf, McIntosh

Absent and not voting:

Collette	Larson	Rohrer
Crockett	Olson, Bowman	Schimke
Fraser		

So the bill passed as amended and the title was agreed to.

Rep. Bolmeier moved that the vote by which House Bill No. 83 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 279. A Bill for an Act to Amend and Re-enact Section 57-1531 of the North Dakota Revised Code of 1943 Relating to Determination of Levies; and Declaring an Emergency.

Was read the second time.

Rep. Mollet moved that further consideration of House Bill No. 279 be laid on the table, which motion prevailed.

House Bill No. 78. A Bill for an Act to Provide for the Creation of a North Dakota School Survey Commission, Defining the Powers and Duties, Making an Appropriation Therefor, and Declaring an Emergency.

Was read the second time.

Rep. Fitch moved that House Bill No. 78 be indefinitely postponed, which motion prevailed.

House Bill No. 151. A Bill for an Act to Create a State Survey Board for Survey and Supervision of Mental Deficiency and Designating the Three Appointive Members of the Board of Administration as Such Board; Providing for Its Organization and Headquarters; Prescribing Its Powers and Duties; Providing for a County Survey Board for Mental Deficiency and Designating the Commissioners of Insanity as Such Board, and Prescribing Its Powers and Duties; Defining Mental Deficiency; Providing for the Furnishing of Certain Information by Institutions, Boards of Education, Teachers, School Principals and Superintendents, Doctors, Nurses, Hospitals, County Health Officers, County Welfare Boards and State Boards and Commissions; Providing for a List of Mentally Deficient Persons to Be Furnished All County Judges; Prohibiting the Issuance of Marriage Licenses to Mentally Deficient Persons and Providing a Penalty for the Violation Thereof; Providing for Certain Exceptions; Providing for the Right of Appeal to the District Courts in Case of Refusal to Issue Marriage License and Prescribing the Time for Such Appeal; Repealing All Statutes in Direct Conflict With the Provisions Hereof; and Making an Appropriation Therefor.

Was read the second time.

Rep. Johnson of Richland moved that House Bill No. 151 be indefinitely postponed, which motion prevailed.

Rep. Saumur moved that the vote by which House Bill No. 151 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Wages, Salaries, and Commissions, Including Overtime or Premium Pay or Penalties Thereon Required or Authorized by Any Statute, to a Period of One Year After the Accrual of the Right to Such Pay, and Declaring an Emergency.

Was read the second time.

Rep. Graham moved that House Bill No. 114 be indefinitely postponed.

The Speaker called Rep. Thompson of Richland to the chair.

The Speaker took the floor on behalf of House Bill No. 114.

The Speaker resumed the chair.

Rep. Bolmeier moved the previous question, which motion prevailed.

The question was on the motion of Rep. Graham that House Bill No. 114 be indefinitely postponed, which motion was lost.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Halvorson	Sailer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur

Bagge	Heckman	Schimke
Baumgartner	Hegge	Schlafmann
Belzer	Herk	Schmalenberger
Benno	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Hovey	Schwartz
Boucher	Isaak	Seibel
Brady	Jennings	Sellens
Burau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Crockett	Larson	Smart
Dalzell	Leet	Stanley
Devlin	Levin	Stair
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Thompson, Rich'nd
Falconer	Moe	Tuff
Fitch	Moerke	Wambheim
Fleck	Mollet	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Frank	Mortenson	Wollitz
Fuglestad	Nystrom	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Grenier		

Those voting in the negative were:

Bubel	Mork	Welk
Graham	Ohnstad	Westby

Absent and not voting:

Fraser	Olson, Bowman	Rohrer
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So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Severson moved that the vote by which House Bill No. 114 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett: I want to explain my vote. In my 16 years down here I have always fought for labor but the time has come when the employer has something coming. If an employee can't say in one year that he has been underpaid, there is something wrong with him. I don't think he has anything coming out of this bill. I vote "no".

The House was on the seventh order of business.

Rep. Fitch: Mr. Speaker: I have a letter in my hand that I received today from a former clerk of the Ways and Means Committee, Leonard A. Schneider, which was written from a foxhole somewhere on the island of Luzon in the Philippines. In the letter he says, "How is old Pete?" He means the Honorable Peter Peterson of Bottineau County, a former member of this House. He does not know that Mr. Peterson is not a member this year. But Mr. Peterson is here this evening. He is sitting on my right. I am going to move, Mr. Speaker, that the courtesies of the floor be extended to Mr. Peterson and on behalf of the former clerk of the Ways and Means

Committee, Leonard A. Schneider, that the present clerk, Mrs. Ann T. Allen, be appointed as a committee of one to represent Mr. Schneider to escort Mr. Pete Peterson to the rostrum, which motion prevailed.

Former Rep. Peterson was escorted to the rostrum by Mrs. Allen, welcomed by the Speaker and invited to seat the House.

Rep. Johnson of Richland: This is a little bit like home-coming. I have with me a former representative from my district and I move at this time that he be granted the courtesies of the floor during his stay here and move that a committee of two be appointed to escort former Rep. Harley Swanson to the rostrum, which motion prevailed.

The Speaker appointed Rep. Johnson of Richland and Rep. Luick to escort former Rep. Swanson to the rostrum.

The Speaker welcomed Mr. Swanson and invited him to seat the House.

Mr. Swanson: Mr. Speaker and folks: Just about one and a half hours ago I came into the fair city of Bismarck and one of the first men I ran across was a newspaperman. He invited me to ride up to the Capitol building this evening. He said they were having a night session and I accepted his courtesy. I did not expect to have the honor of being presented to you people here in this manner but it is a great pleasure. A lot of these men I have known a great many years—Mr. Bergesen, Mr. Fitch, Mr. Johnson of Richland, Mr. Olson of Barnes and Miss Haugland from Ward County and a lot more of you. I can't think of your names at the present time. I assure you it is a pleasure and an honor to be here a day or two with you men.

Rep. Bolmeier moved that the remarks of Mr. Harley Swanson, a former member of this House from Richland County, be printed in the Journal, which motion prevailed.

House Bill No. 212. A Bill for an Act to Amend and Re-enact Sections 5-0302, 5-0303 and 5-0320 of the North Dakota Revised Code of 1943 Relating to Sale of Liquor.

Was read the second time.

Rep. Fugelstad moved that the rules be suspended and that House Bill No. 212 be amended as follows:

After Section 4 add the following:

Section 5. The provisions of this Act shall not apply to incorporated Country Clubs and fraternal organizations.

Strike out the word "incorporated" in line 12 and renumber the lines.

Rep. Schimke moved that House Bill No. 212 be indefinitely postponed.

Rep. Fitch offered as a substitute motion that House Bill No. 212 be deferred for thirty minutes.

Rep. Crockett moved to amend the motion of Rep. Fitch as follows: that the motion be laid on the table.

Objections were entered to the motion of Rep. Crockett.

Rep. Crockett arose to a point of order requesting a ruling on whether or not his motion if it prevailed would also lay the Bill on the table.

The Speaker ruled that it would not.

The question was on the motion of Rep. Crockett, which motion was lost.

The question then was on the motion of Rep. Fitch.

On a voice vote the Chair was in doubt.

On a rising vote the motion prevailed and action on House Bill No. 212 was deferred for thirty minutes.

The Temperance Committee was excused for the purpose of preparing amendments to House Bill No. 212.

### SECOND READING OF HOUSE BILLS

House Bill No. 97. A Bill for an Act Amending and Re-enacting Sections 28-0619 and 28-0628 of the North Dakota Revised Code of 1943 Relating to the Service of Summons and Proof of Service Thereof; and Repealing Section 28-0629 and All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 6; absent and not voting, 16.

Those voting in the affirmative were:

Acheson	Fraser	Pyle
Allen, Grand Forks	Gainor	Sandness
Anderson	Graham	Saumur
Arndt	Grenier	Schlafmann
Bagge	Halvorson	Schmalenberger
Baumgartner	Haugen	Schmidt, Morton
Belzer	Haugland	Schnell
Benno	Hegge	Schwartz
Bjella	Herk	Sellens
Blair	Hildre	Severson
Bolmeier	Hofstrand	Sharpe
Boucher	Hogoboom	Shockman
Bubel	Hovey	Skaar
Burau	Isaak	Stair
Callahan	Johnson, Cass	Stanley
Collette	Johnson, Richland	Sticka
Crockett	Klefstad	Still
Dalzell	Langley	Stormon
Devlin	Leet	Symington
Dittmer	Levin	Thompson, Griggs
Drawz	Luick	Thompson, Rich'nd
Drovdal	Lysne	Tuff
Ekren	McInnes	Wambheim
Engel	Maher	Welk
Esterby	Moerke	Westby
Falconer	Mollet	Wolf, McIntosh
Fitch	Monson	Wolf, Morton
Fleck	Mork	Wollitz
Forseth	Ohnstad	Yirchott
Frank	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Brady	Moe	Schmidt, Logan
Jennings	Sailer	Seibel

Absent and not voting:

Allen, Pierce	Larson	Olson, Bowman
Bymers	Lillehaugen	Ostgulen
Fuglestad	Lindberg	Rohrer

Haag	Mortenson	Schimke
Halcrow	Nystrom	Smart
Heckman		

So the bill passed as amended and the title was agreed to.

Rep. Welk moved that the vote by which House Bill No. 97 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 96. A Bill for an Act to Amend and Re-enact Section 33-0209 of the North Dakota Revised Code of 1943 Relating to Service of Summons in an Action in Justice Court.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 4; absent and not voting, 20.

Those voting in the affirmative were:

Acheson	Graham	Saumur
Allen, Grand Forks	Grenier	Schlafmann
Anderson	Halvorson	Schmalenberger
Arndt	Haugen	Schmidt, Logan
Bagge	Haugland	Schmidt, Morton
Baumgartner	Hegge	Schnell
Belzer	Herk	Schwartz
Bjella	Hildre	Sellens
Blair	Hofstrand	Severson
Bolmeier	Hogoboom	Sharpe
Boucher	Hovey	Shockman
Bubel	Isaak	Skaar
Bymers	Jennings	Stair
Callahan	Johnson, Cass	Stanley
Collette	Klefstad	Sticka
Dalzell	Langley	Still
Devlin	Leet	Stormon
Dittmer	Levin	Symington
Drawz	Luick	Thompson, Griggs
Drovdal	Lysne	Thompson, Richl'nd
Ekren	McInnes	Tuff
Engel	Maher	Wambheim
Esterby	Moerke	Welk
Falconer	Mollet	Westby
Fitch	Monson	Wolf, McIntosh
Fleck	Mork	Wolf, Morton
Forseth	Ohnstad	Wollitz
Frank	Pyle	Yirchott
Fraser	Sandness	Mr. Speaker
Gainor		

Those voting in the negative were:

Brady	Sailer	Seibel
Moe		

Absent and not voting:

Allen, Pierce	Heckman	Olson, Barnes
Benno	Johnson, Richland	Olson, Bowman
Burau	Larson	Ostgulen
Crockett	Lillehaugen	Rohrer
Fuglestad	Lindberg	Schimke
Haag	Mortenson	Smart
Halcrow	Nystrom	

So the bill passed as amended and the title was agreed to.

Rep. Bolmeier moved that the vote by which House Bill No. 96 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 10; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Fraser	Pyle
Allen, Grand Forks	Frank	Sailer
Anderson	Gainor	Sandness
Arndt	Graham	Saumur
Bagge	Halvorson	Schimke
Baumgartner	Haugen	Schmalenberger
Belzer	Haugland	Schmidt, Logan
Benno	Hegge	Schmidt, Morton
Bjella	Herk	Schnell
Blair	Hildre	Schwartz
Bolmeier	Hofstrand	Sellens
Brady	Hogboom	Severson
Bubel	Hovey	Sharpe
Bureau	Johnson, Cass	Shockman
Bymers	Johnson, Richland	Skaar
Callahan	Klefstad	Stair
Collette	Langley	Stanley
Crockett	Leet	Sticka
Dalzell	Levin	Still
Devlin	Luick	Stormon
Dittmer	Lysne	Symington
Drawz	McInnes	Thompson, Griggs
Ekren	Maher	Wambheim
Engel	Mork	Welk
Esterby	Moerke	Wolf, McIntosh
Falconer	Mollet	Wolf, Morton
Fitch	Monson	Wollitz
Fleck	Ohnstad	Yirchott
Forseth	Olson, Barnes	Mr. Speaker
Those voting in the negative were:		
Boucher	Jennings	Seibel
Drovdal	Moe	Thompson, Richl'nd
Grenier	Schlafmann	Tuff
Isaak		
Absent and not voting:		
Allen, Pierce	Larson	Olson, Bowman
Fuglestad	Lillehaugen	Ostgulen
Haag	Lindberg	Rohrer
Halcrow	Mortenson	Smart
Heckman	Nystrom	Westby

So the bill passed as amended and the title was agreed to.



Rep. Sharpe moved that the vote by which House Bill No. 185 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and House Bills Nos. 221 and 283 be placed on the calendar for second reading and final passage, which motion prevailed.

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of Premises and Report by the State Department of Health and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and Concerning Need for Such Homes in Any Given Community; and Providing for a Penalty.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Grenier	Olson, Barnes
Allen, Grand Forks	Haag	Ostgulen
Anderson	Halcrow	Pyle
Arndt	Halvorson	Sailer
Bagge	Haugen	Sandness
Baumgartner	Haugland	Schimke
Belzer	Heckman	Schlafmann
Benno	Hegge	Schmalenberger
Bjella	Herk	Schmidt, Logan
Blair	Hildre	Schmidt, Morton
Bolmeier	Hofstrand	Schnell
Boucher	Hogoboom	Schwartz
Brady	Hovey	Seibel
Bubel	Isaak	Sellens
Bureau	Jennings	Severson
Callahan	Johnson, Cass	Sharpe
Collette	Johnson, Richland	Shockman
Crockett	Klefstad	Skaar
Dalzell	Langley	Smart
Devlin	Larson	Stair
Dittmer	Leet	Stanley
Drawz	Lillehaugen	Sticka
Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Engel	Lysne	Symington
Esterby	McInnes	Thompson, Richl'nd
Falconer	Maher	Tuff
Fitch	Moe	Wambheim
Fleck	Moerke	Welk
Forseth	Mollet	Wolf, McIntosh
Frank	Monson	Wolf, Morton
Fraser	Mork	Wollitz

Fuglestad	Mortenson	Yirchott
Gainor	Nystrom	Mr. Speaker
Graham		

Those voting in the negative were:

Levin

Absent and not voting:

Allen, Pierce	Olson, Bowman	Thompson, Griggs
Bymers	Rohrer	Westby
Ohnstad	Saumur	

So the bill passed and the title was agreed to.

Rep. Sandness moved that the vote by which House Bill No. 221 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugen	Saumur
Arndt	Haugland	Schimke
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogboom	Schwartz
Bolmeier	Hovey	Seibel
Boucher	Isaak	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Bureau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Larson	Stair
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Esterby	McInnes	Thompson, Richland
Falconer	Maher	Tuff
Fitch	Moe	Wambheim
Fleck	Moerke	Welk
Forseth	Mollet	Westby
Frank	Monson	Wolf, McIntosh
Fraser	Mork	Wolf, Morton
Fuglestad	Mortenson	Wollitz
Gainor	Nystrom	Yirchott
Graham	Olson, Barnes	Mr. Speaker
Grenier	Ostgulen	

Absent and not voting:

Crockett	Ohnstad	Rohrer
Engel	Olson, Bowman	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Bolmeier moved that the vote by which House Bill No. 283 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolution:

House Bill No. 161  
House Bill No. 162  
House Bill No. 190  
House Bill No. 222  
House Bill No. 253  
House Bill No. 254  
House Bill No. 269  
House Joint Resolution No. 1

And find the same correctly Engrossed.

REP. LEET, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 147  
House Bill No. 211  
House Bill No. 223

And find the same correctly Re-engrossed.

REP. LEET, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Sticka moved that the rules be suspended and House Bills Nos. 253 and 254 be placed on the Calendar for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 253. A Bill for an Act Amending and Re-enacting Section 34-0108, of the North Dakota Revised Code of 1943, Relating to Limitation of Hours of Labor of Employees of the State, Counties, and Cities; Exception.

Was read the second time.

Rep. Johnson of Cass moved that House Bill No. 253 be indefinitely postponed, which motion prevailed.

Rep. Johnson of Cass moved that the vote by which House Bill No. 253 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Haugen moved that House Bill No. 254 be indefinitely postponed, which motion prevailed.

Rep. Bolmeier moved that the vote by which House Bill No. 254 was indefinitely postponed be reconsidered and the

motion to reconsider be laid on the table, which motion prevailed.

Rep. Fuglestad moved that House Bills Nos. 211 and 212 be re-referred to General Orders, which motion prevailed.

Rep. Fitch moved that the rules be suspended and that House Bills Nos. 147, 190, 222 and 223 be placed on the Calendar for second reading and final passage, which motion prevailed.

House Bill No. 147. A Bill for an Act Relating to the Sale of Intoxicating Liquor to Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

Was read the 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, 25; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Halcrow	Olson, Barnes
Allen, Grand Forks	Halvorson	Ostgulen
Allen, Pierce	Haugland	Pyle
Arndt	Heckman	Sailer
Bagge	Herk	Sandness
Benno	Hildre	Saumur
Bjella	Hofstrand	Schlafmann
Blair	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Sellens
Brady	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Dalzell	Langley	Skaar
Devlin	Leet	Smart
Dittmer	Levin	Stair
Drawz	Lillehaugen	Stanley
Ekren	Lindberg	Still
Engel	Luick	Stormon
Esterby	Lysne	Symington
Falconer	McInnes	Thompson, Griggs
Fleck	Moe	Thompson, Richl'nd
Forseth	Mollet	Wambheim
Frank	Monson	Westby
Fraser	Mork	Wolf, Morton
Fuglestad	Mortenson	Wollitz
Gainor	Nystrom	Yirchott
Graham	Ohnstad	Mr. Speaker
Haag		

Those voting in the negative were:

Anderson	Haugen	Schmalenberger
Baumgartner	Hegge	Schmidt, Logan
Belzer	Isaak	Schnell
Boucher	Jennings	Schwartz
Bubel	Larson	Seibel
Burau	Maher	Sticka
Collette	Moerke	Welk
Fitch	Schimke	Wolf, McIntosh
Grenier		

## Absent and not voting:

Crockett	Olson, Bowman	Tuff
Drovdal	Rohrer	

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Lillehaugen moved that the vote by which House Bill No. 147 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 21; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Graham	Sandness
Allen, Grand Forks	Grenier	Saumur
Allen, Pierce	Haag	Schimke
Anderson	Haugland	Schlafmann
Arndt	Heckman	Schmidt, Logan
Bagge	Hegge	Schmidt, Morton
Baumgartner	Hofstrand	Schnell
Belzer	Hogoboom	Schwartz
Benno	Hovey	Seibel
Bjella	Isaak	Sellens
Blair	Jennings	Severson
Bolmeier	Johnson, Richland	Sharpe
Boucher	Klefstad	Shockman
Bymers	Langley	Skaar
Callahan	Larson	Smart
Crockett	Leet	Stjeka
Dalzell	Lindberg	Still
Devlin	Luick	Stair
Dittmer	McInnes	Stanley
Drovdal	Maher	Stormon
Ekren	Moe	Symington
Engel	Mollet	Thompson, Griggs
Esterby	Monson	Thompson, Richland
Falconer	Mork	Tuff
Forseth	Nystrom	Wambheim
Frank	Ohnstad	Welk
Fraser	Ostgulen	Wollitz
Fuglestad	Sailer	Mr. Speaker

Those voting in the negative were:

Brady	Halcrow	Lysne
Bubel	Halvorson	Moerke
Burau	Haugen	Olson, Barnes
Collette	Herk	Pyle
Drawz	Hildre	Wolf, McIntosh
Fitch	Johnson, Cass	Wolf, Morton
Fleck	Levin	Yirchott

Absent and not voting:

Lillehaugen	Olson, Bowman	Schmalenberger
Mortenson	Rohrer	Westby

So the bill passed as amended and the title was agreed to. Rep. Fitch moved that House Bills Nos. 162 and 161 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 7; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Graham	Sailer
Allen, Grand Forks	Grenier	Sandness
Allen, Pierce	Halvorson	Saumur
Anderson	Haag	Schimke
Arndt	Haugen	Schlafmann
Bagge	Haugland	Schmalenberger
Baumgartner	Heckman	Schmidt, Logan
Belzer	Hegge	Schmidt, Morton
Benno	Herk	Schnell
Bjella	Hildre	Schwartz
Blair	Hofstrand	Seibel
Bolmeier	Hogoboom	Sellens
Boucher	Hovey	Severson
Brady	Johnson, Cass	Sharpe
Bubel	Johnson, Richland	Shockman
Burau	Klefstad	Skaar
Bymers	Langley	Smart
Callahan	Larson	Stair
Collette	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lindberg	Still
Drawz	Lysne	Stormon
Drovdal	Maher	Symington
Ekren	Moe	Thompson, Griggs
Engel	Moerke	Thompson, Richl'nd
Esterby	Mollet	Tuff
Falconer	Monson	Wambheim
Fitch	Mork	Welk
Fleck	Nystrom	Wolf, McIntosh
Forseth	Ohnstad	Wolf, Morton
Frank	Olson, Barnes	Wollitz
Fraser	Ostgulen	Yirchott
Fuglestad	Pyle	Mr. Speaker
Gainor		

Those voting in the negative were:

Crockett	Isaak	Luick
Dalzell	Jennings	Westby
Halcrow		

Absent and not voting:

Lillehaugen	Mortenson	Rohrer
McInnes	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

Rep. Hovey moved that the vote by which House Bill No. 222 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 6; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Gainor	Olson, Barnes
Allen, Grand Forks	Graham	Ostgulen
Allen, Pierce	Grenier	Pyle
Anderson	Haag	Sailer
Arndt	Halcrow	Sandness
Bagge	Halvorson	Saumur
Baumgartner	Haugen	Schlafmann
Belzer	Haugland	Schmalenberger
Benno	Heckman	Schmidt, Logan
Bjella	Hegge	Schmidt, Morton
Blair	Herk	Schnell
Bolmeier	Hildre	Schwartz
Boucher	Hofstrand	Seibel
Brady	Hogoboom	Sellens
Bubel	Hovey	Severson
Burau	Isaak	Sharpe
Bymers	Jennings	Shockman
Callahan	Johnson, Richland	Smart
Collette	Klefstad	Stair
Crockett	Langley	Stanley
Dalzell	Larson	Sticka
Devlin	Levin	Still
Dittmer	Lindberg	Symington
Drawz	Luick	Thompson, Richl'nd
Drovdal	Lysne	Thompson, Griggs
Engel	McInnes	Tuff
Esterby	Maher	Wambheim
Falconer	Moe	Welk
Fleck	Moerke	Wolf, McIntosh
Fitch	Mollet	Wolf, Morton
Forseth	Monson	Wollitz
Frank	Mork	Yirchott
Fraser	Nystrom	Mr. Speaker
Fuglestad	Ohnstad	

Those voting in the negative were:

Ekren	Leet	Stormon
Johnson, Cass	Skaar	Westby

Absent and not voting:

Lillehaugen	Olson, Bowman	Schimke
Mortenson	Rohrer	

So the bill passed as amended and the title was agreed to.

Rep. Westby moved that the vote by which House Bill No. 223 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fitch moved that House Bills Nos. 162 and 161 be placed at the head of the calendar.

Rep. Johnson of Cass offered as a substitute motion that House Bills Nos. 162 and 161 remain at the foot of the calendar, which motion was lost.

A division was called for and which disclosed 34 voting for and 60 voting against so the motion was declared lost.

The question was on the motion of Rep. Fitch, which motion prevailed and House Bills Nos. 162 and 161 were placed at the head of the calendar.

Rep. Wolf of McIntosh moved that the rules be suspended and House Bill No. 162 be placed on the calendar for second reading and final passage, which motion prevailed.

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised Code of North Dakota for 1943, Relating to the Registration of Motor Trucks, Truck-tractors, Trailers and Semi-trailers on a Gross Weight Basis.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 27; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Graham	Ohnstad
Bagge	Grenier	Olson, Barnes
Baumgartner	Haag	Ostgulen
Benno	Halcrow	Sailer
Bjella	Halvorson	Sandness
Blair	Haugen	Saumur
Bolmeier	Haugland	Schlafmann
Boucher	Hegge	Schmalenberger
Brady	Herk	Schmidt, Logan
Bubel	Hildre	Schmidt, Morton
Burau	Hofstrand	Schnell
Bymers	Hogoboom	Schwartz
Collette	Hovey	Seibel
Devlin	Langley	Sellens
Dittmer	Larson	Shockman
Drawz	Leet	Smart
Drovdal	Levin	Sticka
Engel	Lindberg	Still
Esterby	Lysne	Stormon
Falconer	McInnes	Thompson, Richl'nd
Fleck	Maher	Welk
Fitch	Moerke	Wolf, McIntosh
Forseth	Mollet	Wolf, Morton
Frank	Monson	Wollitz
Fraser	Mork	Yirchott
Gainor	Nystrom	Mr. Speaker

Those voting in the negative were:

Acheson	Fuglestad	Severson
Allen, Grand Forks	Heckman	Sharpe
Allen, Pierce	Isaak	Skaar
Arndt	Jennings	Stair
Belzer	Johnson, Cass	Stanley
Callahan	Johnson, Richland	Symington



Crockett	Luick	Thompson, Griggs
Dalzell	Moe	Tuff
Ekren	Pyle	Westby
Absent and not voting:		
Klefstad	Olson, Bowman	Schimke
Lillehaugen	Rohrer	Wambheim
Mortenson		

So the bill passed as amended and the title was agreed to.

Rep. Yirchott moved that the vote by which House Bill No. 162 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 150.

And find the same correctly Re-engrossed.

REP. LEET, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 62.

House Bill No. 71.

House Bill No. 210.

House Bill No. 234.

House Bill No. 261.

And find the same correctly Engrossed.

REP. LEET, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Allen of Grand Forks moved that the House recess subject to the call of the chair, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

CONTINUATION OF THE FORTY-NINTH DAY  
AFTER RECESS, FIFTIETH DAY, FIFTIETH DAY  
AFTER RECESS AND THE FIFTY-FIRST DAY

Bismarck, February 20, 1945

The house reconvened at the call of the Chair, Speaker Bergesen presiding.

GENERAL ORDERS

Rep. Bolmeier moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Bolmeier to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 177.

In the third and fourth lines of the title strike out the words "and requiring a bond."

In line 14 of the bill after the word "cars" insert the word "are".

Strike out all of line 17 following the period after the word "him" and strike out lines 18 to 44 both inclusive and insert in lieu thereof the following: "Application for such license and renewal thereof, shall be made to the registrar of motor vehicles, shall be in writing, and duly verified by oath. The applicant shall submit such information as said registrar may require, upon blanks provided by the registrar for such purpose. No application shall be granted nor a license issued to anyone until and unless the applicant shall furnish proof satisfactory to the registrar of the fact that the applicant has an established place of business, and has, or has the use of, facilities and equipment for the maintenance, servicing and repair of motor vehicles. An established place of business when used in this act shall mean a permanent enclosed building or structure either owned in fee or leased, at which a permanent business of bartering, trading and selling of motor vehicles will be carried on as such in good faith and not for the purpose of evading this act. Said place of business shall not mean residences, tents, temporary stands or other temporary quarters, nor permanent quarters occupied pursuant to any temporary arrangement. If the licensee desires to remove from the established place of business occupies when the license is granted, to a new location, he shall first secure from the registrar of motor vehicles permission to do so

He shall be required to furnish proof satisfactory to the registrar that the premises to which he proposes to remove conform to the requirements hereinbefore set forth.

In line 47 strike out the words "five (5)" and insert "ten (10)".

In line 56 after the word "felony," insert "or shall have ceased to have an established place of business as herein required." And renumber the lines.

And when so amended recommend the same do pass.

House Bill No. 215.

In the title of the bill, substitute a comma for the period at the end of the present title and insert the following: "and repealing Section 6 of Chapter 221 of the Session Laws of 1943."

After line 61 of the bill, add the following: "Section 3. REPEAL.) That Section 6 of Chapter 221 of the Session Laws of North Dakota for 1943, providing that the provisions of said Chapter 221 shall terminate on June 30, 1945, is hereby repealed, it being the intention that said Chapter 221 of the Session Laws of 1943 as incorporated in the North Dakota Revised Code of 1943 shall continue in full force and effect."

Renumber the lines.

And when so amended recommend the same do pass.

House Bill No. 214.

After the word "assistance" in line 33, strike out the semicolon and substitute a comma and then insert the following: "except that, in order to establish eligibility for old age assistance in North Dakota, any person who is eligible for old age assistance in another state shall be required to reside in North Dakota for the same period of time as a person moving from North Dakota to such other state would be required to reside, under such other state's laws or regulations, in order to establish eligibility under such other state's old age assistance program;"

In line 40 of the Bill, after the word "begun" strike out the semicolon and insert the following: "unless, during the period of such absence, he has established eligibility for old age assistance in another state;"

After the semicolon following the word "agency" in line 49 of the printed bill, add Section 6, reading as follows: "6. Has no child or other relative of sufficient financial ability to support him, who is responsible under the law for his support, provided, however, that if such child or other relative refuses or neglects to provide necessary assistance such refusal or neglect shall not make such applicant ineligible for assistance to the needy aged;"

In line 50, strike out the figure "6" and insert in lieu thereof the figure "7".

Renumber the lines.

And when so amended recommend the same do pass.

House Bill No. 236.

In line 6 insert a "comma" after the word "profession" and add the following words "trade or business".

In line 12 insert a "comma" after the word "business" and add the words "or profession".

And recommend the same do pass as amended by the Committee of the Whole.

House Bill No. 227.

And recommend the same be indefinitely postponed.

House Concurrent Resolution "L".

Following the Resolution number insert a title as follows:

### HOUSE CONCURRENT RESOLUTION L

Introduced by Reps. Forseth and Esterby

#### STATE BOND ISSUES

Joint Resolution for an Amendment to Section 182, Article 12 of the Constitution of the State of North Dakota, as amended by Article 31 of the Amendments thereof, as further amended by Article 42 of the amendments thereof, relating to issuing and guaranteeing of bonds by the State and providing that such bonds in excess of two million dollars shall be secured by first mortgages upon property; and providing for the submission of this Amendment to the voters of the State for rejection or approval as provided by Section 202 of the Constitution of the State of North Dakota as amended.

BE IT RESOLVED by the House of Representatives of the State of North Dakota, the Senate concurring:

Strike out lines 1 through 22 of the printed Resolution, and insert in lieu thereof the following:

That the following amendment to Section 182, Article 12 of the Constitution of the State of North Dakota, as amended by Article 31 of the Amendments thereof, as further amended by Article 42 of the Amendments thereof, be agreed to and submitted to the qualified electors of the state for approval or rejection in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota, as amended.

AMENDMENT. — That Section 182, Article 12 of the Constitution of the State of North Dakota, as amended by Article 31 of the Amendments thereof, as further amended by Article 42 of the Amendments thereof, be and the same hereby is amended and re-enacted to read as follows:

In line 27 of the printed Resolution strike out the words "sixty-five per cent" and insert in lieu thereof the words "one-half"; following the word "its" insert the word "appraised"; following the word "value" insert a comma and the words "plus the amounts of the parts of any such mortgages guaranteed by the United States". In line 26 of the printed Resolution strike out the word "mortgage" and insert in lieu thereof the word "mortgages". In line 29 of the printed Resolution following the word "industries" insert a comma and the following language and punctuation: "in amounts not exceeding its value, and provided further, that the State shall not issue or guarantee bonds upon property of State owned utilities, enterprises or industries". In line 49 of the printed Resolution following the word "defense" insert the words "in case". Renumber the lines.

And recommend the same do pass as amended by the Committee of the Whole.

REP. BOLMEIER, Chairman,  
Committee of the Whole.

Rep. Johnson of Richland moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04 of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

House Bill No. 96. A Bill for an Act to Amend and Re-enact Section 33-0209 of the North Dakota Revised Code of 1943 Relating to Service of Summons in an Action in Justice Court.

House Bill No. 97. A Bill for an Act Amending and Re-enacting Sections 28-0619 and 28-0628 of the North Dakota Revised Code of 1943 Relating to the Service of Summons and Proof of Service Thereof; and Repealing Section 28-0629 and All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Wages, Salaries and Commissions, Including Overtime or Premium Pay or Penalties Thereon Required or Authorized by Any Statute, to a Period of One Year After the Accrual of the Right to Such Pay, and Declaring an Emergency.

House Bill No. 147. A Bill for an Act Relating to the Sale of Intoxicating Liquor to Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

House Bill No. 150. A Bill for an Act Permitting the

Bank of North Dakota to Transfer Funds to Other State Departments, to Make Loans and Extend Credit Under Limitations, and Providing Method of Obtaining Additional Funds; Amending and Re-enacting Section 6-0915 of the North Dakota Revised Code of 1943.

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised Code of North Dakota for 1943, Relating to the Registration of Motor Trucks, Truck-tractors; Trailers and Semi-trailers on a Gross Weight Basis.

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

Which the House has passed and your favorable consideration is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of Premises and Report by the State Department of Health and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and Concerning Need for Such Homes in Any Given Community; and Providing for a Penalty.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

House Joint Resolution 1.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

Rep. Bolmeier moved that the House recess subject to the call of the chair, which motion prevailed.

The House reconvened, Speaker Bergesen presiding.

#### GENERAL ORDERS

Rep. Bolmeier moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Bolmeier to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 211.

In line 13 after the word "cities" insert comma and after the word "villages" strike out remainder of line and insert the words "whether incorporated or not."

Strike out all of lines 14 and 15.

In line 17 after the word "to" strike out the word "lodges" and insert the words "incorporated country-clubs".

Renumber the lines as necessary.

And recommend the same do pass.

House Bill No. 212.

In line 12 after the word "cities" insert comma and after the word "villages" insert "whether incorporated or not."

After Section 4 insert the following: "Section 5. The provisions of this Act shall not apply to incorporated country-clubs and fraternal organizations."

Renumber lines.

Strike out Sections 2 and 3 and renumber the lines and sections.

In the title strike out the "comma" after the figures "5-0302" and strike out the words and figures "5-0303 and 5-0320".

And recommend the same do pass as amended by the Standing Committee and further amended by the Committee of the Whole.

REP. BOLMEIER, Chairman,  
Committee of the Whole.

Rep. Hovey moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS

Delayed Bills Committee introduced:

House Bill No. 284. A Bill for an Act to Cancel the Licenses of Insurance Companies That Have Been Engaged in Questionable Practices and Transactions in Violation of the Laws of This State; and Against the Best Interests of the People of North Dakota; Providing Penalty; and Declaring an Emergency.

Was read the first time and referred to the Committee of the Whole.

## GENERAL ORDERS

Rep. Bolmeier moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep Bolmeier to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 284.

In line 5 after the word "Minnesota," insert "the Farmers Union Life Insurance Co., Des Moines, Iowa," and in line 16 of the Bill after the word "Minnesota," insert "the Farmers Union Life Insurance Co., Des Moines, Iowa," and renumber the lines.

And when so amended recommend the same be placed on the calendar.

REP. BOLMEIER, Chairman  
Committee of the Whole.

Rep. Westby moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

Rep. Sailer moved that the absent members be excused, which motion prevailed.

Rep. Schnell moved that the vote by which House Bill No. 254 was indefinitely postponed be reconsidered, which motion prevailed.

Rep. Bubel moved that House Bill No. 254 be placed on the calendar, which motion prevailed.

## MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 21, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.

Which the Senate has passed over the Governor's veto.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 21, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of 1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political



Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Senate Bill No. 198. A Bill for an Act Amending and Re-enacting Section 20-0104, of the North Dakota Revised Code of 1943, Relating to Unauthorized Methods of Taking Game Birds and Game Animals; Section 20-0201, of the North Dakota Revised Code of 1943, Relating to State Game and Fish Commissioner: Office to Be Maintained; Appointment; Term; Removal; Section 20-0203, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Commissioner; Audit and Payment; Section 20-0204, of the North Dakota Revised Code of 1943, Relating to Duties of Commissioner; Section 20-0205, of the North Dakota Revised Code of 1943, Relating to Powers of Commissioner; Section 20-0207, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Deputy Commissioner; Audit and Payment; Section 20-0209, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Chief Game Warden; Section 20-0211, of the North Dakota Revised Code of 1943, Relating to District Deputy Game Wardens; Appointment; Removal; Bond; Section 20-0302, of the North Dakota Revised Code of 1943, Relating to License to Hunt, Fish, or Trap Not Required of Residents; When; Exceptions; Section 20-0310, of the North Dakota Revised Code of 1943, Relating to License to Hunt Big Game Required; Penalty; Section 20-0315, of the North Dakota Revised Code of 1943, Relating to Rights Granted by Commercial Fishing License; Subsection 1 of Section 20-0325, of the North Dakota Revised Code of 1943, Relating to Buying or Shipping Green Furs; License Required; Expiration of License; Fees; Disposition of Fees; Section 20-0402, of the North Dakota Revised Code of 1943, Relating to Statutory Season for Hunting Game Birds; Subject to Change by Proclamation; Section 20-0404, of the North Dakota Revised Code of 1943, Relating to Possession of Limit of Game Birds; Section 20-0501, of the North Dakota Revised Code of 1943, Relating to Big Game Animals Protected; Section 20-0507, of the North Dakota Revised Code of 1943, Relating to Seals to Be Attached to Carcasses of Big Game Animals; When; Commissioner to Furnish Seals; Section 20-0601, of the North Dakota Revised Code of 1943, Relating to Fish Which Are Protected; Section 20-0605, of the North Dakota Revised Code of North Dakota for 1943, Relating to Size of Protected Fish That May Be Taken; Small Fish to Be Returned Unharmed; Penalty; Section 20-0701, of the North Dakota Revised Code of 1943, Relating to Property Rights; Wild Fur-Bearing Animals; Section 20-0403, of the North Dakota Revised Code of 1943, Relating to Bag Limits on Game Birds; Section 20-0212 of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of District Deputy Game Wardens; Section 20-0217 of the North Dakota Revised Code of 1943, Relating to Police Powers of Commissioner; Repealing All Acts or Parts of Acts in Conflict Herewith; and Providing a Saving Clause.

Senate Concurrent Resolution No. 9. A Concurrent Reso-

lution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Rep. Bymers moved that a collection be taken from the members for the purpose of sending flowers to Rep. Graham who is ill in the Bismarck Hospital, which motion prevailed.

Rep. Fleck moved that a committee of two be appointed to meet Mrs. Graham and escort her to the hospital, which motion prevailed.

The Speaker appointed Reps. Fleck and Anderson.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 21, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Section 65-0202, of the North Dakota Revised Code of 1943, Pertaining to Oath of Office; Salary.

Senate Bill No. 207. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Senate Concurrent Resolution No. 15.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Senate Concurrent Resolution No. 15.

Rep. Johnson of Richland moved that the rules be suspended and Senate Concurrent Resolution No. 15 be placed on second reading and final passage, which motion prevailed.

Senate Concurrent Resolution No. 15.

Was read the second time.

Rep. Johnson of Richland moved that Senate Concurrent Resolution No. 15 be adopted, which motion prevailed and Senate Concurrent Resolution No. 15 was adopted.

Rep. Sandness moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

## FIFTIETH DAY

Bismarck, February 20, 1945

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. G. Adolph Johns.

Roll call: All members present except Reps. Olson of Bowman and Graham.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-seventh Day after Recess and the Forty-ninth Day and recommends that the same be corrected as follows:

Between lines 18 and 19 on page 664 insert the Standing Committee Report on House Bill No. 161.

On page 656 in line 13 change the period to a comma and add: "and the emergency clause was declared carried."

In line 6, page 715, change "197" to "147".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

## SECOND READING OF HOUSE BILLS

House Bill No. 71. A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 3; absent and not voting, 17.

Those voting in the affirmative were:

Acheson	Haag	Olson, Barnes
Allen, Grand Forks	Halcrow	Ostgulen
Allen, Pierce	Halvorson	Sailer
Anderson	Haugen	Schlafmann
Arndt	Heckman	Schmidt, Logan
Bagge	Hegge	Schmidt, Morton
Baumgartner	Herk	Schnell
Benno	Hildre	Schwartz
Bjella	Hofstrand	Seibel
Blair	Hogboom	Sellens
Bolmeier	Isaak	Severson
Boucher	Jennings	Sharpe
Brady	Johnson, Cass	Shockman
Burau	Klefstad	Skaar
Collette	Langley	Stair
Crockett	Larson	Stanley
Dalzell	Leet	Sticka
Devlin	Levin	Still
Dittmer	Lillehaugen	Stormon

Drawz	Lindberg	Symington
Drovdal	Luick	Thompson, Griggs
Ekren	Lysne	Tuff
Engel	McInnes	Wambheim
Esterby	Maher	Welk
Falconer	Moerke	Westby
Forseth	Mollet	Wolf, McIntosh
Frank	Monson	Wolf, Morton
Fraser	Mork	Wollitz
Fuglestad	Mortenson	Yirchott
Gainor	Nystrom	Mr. Speaker
Grenier	Ohnstad	

Those voting in the negative were:

Johnson, Richland	Moe	Pyle
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Absent and not voting:

Belzer	Graham	Saumur
Bubel	Haugland	Schimke
Bymers	Hovey	Schmalenberger
Callahan	Olson, Bowman	Smart
Fleck	Rohrer	Thompson, Richl'nd
Fitch	Sandness	

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Maher moved that the vote by which House Bill No. 71 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 15.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 210. A Bill for an Act to Amend and Re-enact Section 61-1230 of the North Dakota Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 1; absent and not voting, 18.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Halvorson	Sailer
Anderson	Haugen	Sandness
Arndt	Heckman	Saumur
Bagge	Hegge	Schlafmann
Baumgartner	Herk	Schmalenberger
Benno	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell

Bolmeier	Isaak	Schwartz
Boucher	Jennings	Seibel
Brady	Johnson, Cass	Sharpe
Bureau	Johnson, Richland	Shockman
Collette	Langley	Skaar
Crockett	Larson	Stair
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	Maher	Tuff
Esterby	Moerke	Wambheim
Fitch	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirehott
Grenier	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Moe

Absent and not voting:

Belzer	Graham	Rohrer
Bubel	Haugland	Schimke
Bymers	Hovey	Sellens
Callahan	Klefstad	Severson
Falconer	McInnes	Smart
Fleck	Olson, Bowman	Thompson, Richl'nd

So the bill passed as amended and the title was agreed to.

Rep. Sailer moved that the vote by which House Bill No. 210 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hos-

pital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 11; absent and not voting, 16.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Haag	Sailer
Allen, Pierce	Halcrow	Sandness
Anderson	Halvorson	Schmalenberger
Arndt	Haugen	Schmidt, Logan
Bagge	Haugland	Schmidt, Morton
Baumgartner	Heckman	Schnell
Benno	Herk	Schwartz
Bjella	Hildre	Seibel
Blair	Hofstrand	Severson
Bolmeier	Hogoboom	Sharpe
Boucher	Hovey	Skaar
Brady	Jennings	Sticka
Burau	Johnson, Cass	Stair
Bymers	Johnson, Richland	Stanley
Collette	Langley	Still
Dalzell	Larson	Stormon
Devlin	Leet	Symington
Dittmer	Lillehaugen	Thompson, Griggs
Drawz	Lindberg	Tuff
Drovdal	Luick	Wambheim
Ekren	Lysne	Welk
Esterby	Maher	Westby
Falconer	Monson	Wolf, McIntosh
Fitch	Mork	Wolf, Morton
Forseth	Mortenson	Wollitz
Fraser	Nystrom	Yirchott

Fuglestad	Ohnstad	Mr. Speaker
Gainor		
Those voting in the negative were:		
Crockett	Isaak	Ostgulen
Engel	Moe	Schlafmann
Frank	Moerke	Shockman
Hegge	Mollet	
Absent and not voting:		
Belzer	Levin	Saumur
Bubel	McInnes	Schimke
Callahan	Olson, Barnes	Sellens
Fleck	Olson, Bowman	Smart
Graham	Rohrer	Thompson, Richl'nd
Klefstad		

So the bill as amended passed and the title was agreed to.

Rep. Collette moved that the vote by which House Bill No. 234 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Subsection 3, Section 39-1204 of the Revised Code of North Dakota for 1943, Relating to Length Limitations on Motor Vehicles.

Was read the second time.

Rep. Collette moved the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 67; nays, 36; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Gainor	Monson
Anderson	Grenier	Ohnstad
Bagge	Haag	Olson, Barnes
Baumgartner	Halcrow	Ostgulen
Bjella	Halvorson	Sandness
Boucher	Haugen	Schimke
Brady	Haugland	Schmalenberger
Bubel	Hegge	Schmidt, Logan
Burau	Herk	Schmidt, Morton
Collette	Hofstrand	Schnell
Crockett	Hogoboom	Schwartz
Devlin	Hovey	Seibel
Dittmer	Langley	Shockman
Drawz	Larson	Smart
Drovdal	Levin	Stair
Engel	Lillehaugen	Sticka
Esterby	Lindberg	Still
Falconer	Lysne	Stormon
Fitch	McInnes	Thompson, Richl'nd
Fleck	Maher	Welk
Forseth	Moerke	Wolf, McIntosh
Frank	Mollet	Yirchott
Fraser		

Those voting in the negative were:

Allen, Grand Forks	Heckman	Saumur
Allen, Pierce	Hildre	Severson
Arndt	Isaak	Sharpe

Belzer	Jennings	Skaar
Benno	Johnson, Richland	Stanley
Blair	Leet	Symington
Bolmeier	Luick	Thompson, Griggs
Bymers	Moe	Tuff
Callahan	Mork	Wambheim
Dalzell	Nystrom	Westby
Ekren	Pyle	Wollitz
Fuglestad	Sailer	Mr. Speaker
Absent and not voting:		
Graham	Mortenson	Schlafmann
Johnson, Cass	Olson, Bowman	Sellens
Klefstad	Rohrer	Wolf, Morton

Rep. Benno: I wish to explain my vote. If this bill was before us in its original form I would vote "aye". As it is, I vote "no".

Rep. Haugen moved that the title of House Bill No. 161 be amended as follows: In line 2 of the title after the figures "39-1204" insert the words and figures "and Section 39-1205", which motion prevailed.

So the bill as amended passed and the title as amended was agreed to.

Rep. Hegge moved that the vote by which House Bill No. 161 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fuglestad moved that the House recess for one hour, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

FIRST READING OF HOUSE JOINT RESOLUTION

Reps. Schnell, Schmalenberger and Sticka introduced:

HOUSE JOINT RESOLUTION No. 2

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:

- 1 WHEREAS, State Highway No. 22, beginning at
- 1a Johnson's
- 2 Corner in McKenzie County, where it connects with State
- 3 Highway No. 23, runs in a southerly direction through
- 4 Killdeer, Dickinson, New England and Reeder to the South
- 5 Dakota state line, and traverses an important and well-
- 6 developed agricultural and ranching section of this state;
- 7 and
- 8 WHEREAS, said highway has not been and is not
- 8a now so
- 9 constructed, conditioned and maintained as to provide a
- 10 reasonably adequate highway for the farmers and
- 10a ranchers
- 11 residing in the area served by it; and
- 12 WHEREAS, it is important that said highway be
- 12a designated
- 13 as a part of the United States system of highways in this
- 14 state to assure its proper construction and maintenance
- 15 through state and federal aid;
- 16 NOW THEREFORE BE IT RESOLVED, that we
- 16a respectfully re-



17 quest the State Highway Commissioner:  
 18 1. To designate and recommend to the American  
 18a Associa-  
 19 tion of State Highway Officials that State Highway  
 19a No. 22  
 20 be incorporated in and be made a part of the United States  
 21 system of highways in this state;  
 22 2. To immediately authorize the reconstruction of said  
 23 Highway No. 22 in accordance with the best methods of  
 23a road  
 24 construction and that it be finished with a blacktop sur-  
 25 face; and  
 26 3. To undertake the continued maintenance of said  
 27 State Highway No. 22 by the use of such state and federal  
 28 aid as may be available for said purpose in order that  
 29 said highway, when so reconstructed and maintained, will  
 30 adequately accomodate all of the traffic in the area  
 31 served by it.

Was read the first time.

Rep. Sticka moved that House Joint Resolution No. 2 be adopted, which motion prevailed and House Joint Resolution No. 2 was adopted.

Rep. Crockett moved that House Joint Resolution No. 2 be printed in the Journal, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
 Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Joint Resolution No. 2.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 2; absent and not voting, 21.

Those voting in the affirmative were:

Acheson	Halvorson	Pyle
Allen, Grand Forks	Haugen	Sailer
Allen, Pierce	Haugland	Sandness
Bagge	Hegge	Schimke
Baumgartner	Herk	Schlafmann
Belzer	Hildre	Schmalenberger
Benno	Hofstrand	Schmidt, Logan

Bjella	Hogoboom	Schmidt, Morton
Blair	Hovey	Schnell
Bolmeier	Isaak	Schwartz
Boucher	Jennings	Seibel
Brady	Johnson, Cass	Sellens
Bubel	Johnson, Richland	Severson
Bymers	Klefstad	Sharpe
Callahan	Langley	Shockman
Crockett	Larson	Skaar
Devlin	Leet	Smart
Dittmer	Lillehaugen	Stair
Drawz	Lindberg	Sticka
Ekren	Luick	Still
Engel	Lysne	Stormon
Esterby	Maher	Thompson, Richl'nd
Falconer	Moerke	Tuff
Fitch	Mollet	Wambheim
Fleck	Monson	Welk
Frank	Mork	Wolf, McIntosh
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Grenier	Olson, Barnes	Mr. Speaker
Haag	Ostgulen	

Those voting in the negative were:  
 Moe Symington

Absent and not voting:

Anderson	Gainor	Olson, Bowman
Arndt	Graham	Rohrer
Burau	Halcrow	Saumur
Collette	Heckman	Stanley
Dalzell	Levin	Thompson, Griggs
Drovdal	McInnes	Westby
Forseth	Mortenson	Wolf, Morton

So the bill passed as amended and the title was agreed to.

Rep. Smart moved that the vote by which House Bill No. 269 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 261. A Bill for an Act Amending and Re-enacting Section 43-0920 of the North Dakota Revised Code of 1943, Relating to Contracts for the Installation of Electrical Wiring and Installation of Electrical Equipment; 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, 24; absent and not voting, 13.

Those voting in the affirmative were:

Acheson	Forseth	Monson
Allen, Grand Forks	Frank	Mork
Allen, Pierce	Fraser	Nystrom
Arndt	Fuglestad	Olson, Barnes
Bagge	Grenier	Sailer
Baumgartner	Halvorson	Sandness
Belzer	Haugen	Schimke
Bjella	Hegge	Schlafmann
Blair	Herk	Schmalenberger

Bolmeier	Hildre	Schmidt, Morton
Boucher	Hofstrand	Schnell
Brady	Jennings	Schwartz
Bubel	Johnson, Cass	Seibel
Bymers	Johnson, Richland	Selliens
Callahan	Klefstad	Severson
Crockett	Langley	Sharpe
Dalzell	Larson	Shockman
Devlin	Leet	Skaar
Dittmer	Levin	Stair
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	Maher	Thompson, Rich'nd
Esterby	Moerke	Wambheim
Fleck	Mollet	Yirchott
Those voting in the negative were:		
Benno	Isaak	Smart
Falconer	Lillehaugen	Sticka
Fitch	Moe	Still
Haag	Ohnstad	Tuff
Haugland	Ostgulen	Welk
Heckman	Pyle	Wolf, McIntosh
Hogoboom	Saumur	Wollitz
Hovey	Schmidt, Logan	Mr. Speaker
Absent and not voting:		
Anderson	Halcrow	Rohrer
Burau	McInnes	Stanley
Collette	Mortenson	Westby
Gainor	Olson, Bowman	Wolf, Morton
Graham		

So the bill as amended 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. 261 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

Delayed Bills Committee introduced:

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund.

Was read the first time and referred to the Committee on Appropriations.

#### SECOND READING OF HOUSE BILLS

House Bill No. 202. A Bill for an Act to Amend and Re-enact Section 26-2401 of North Dakota Revised Code of 1943, to Further Define the Term "Permanent Contents"; and to Amend and Re-enact Section 26-2409, North Dakota Revised Code of 1943, 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, Com-

missions or Officers Having the Legal Supervision and Control of the Property to Be so Insured, and Providing and Declaring an Emergency, and Repealing All Laws or Parts of Laws 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, 21; nays, 85; absent and not voting, 6.

Those voting in the affirmative were:

Allen, Grand Forks	Dittmer	Ohnstad
Allen, Pierce	Fitch	Olson, Barnes
Bjella	Fleck	Sailer
Bolmeier	Fuglestad	Sandness
Bubel	Halcrow	Saumur
Callahan	Herk	Symington
Crockett	Johnson, Cass	Yirchott

Those voting in the negative were:

Acheson	Heckman	Schlafmann
Anderson	Hegge	Schmalenberger
Arndt	Hildre	Schmidt, Logan
Bagge	Hofstrand	Schmidt, Morton
Baumgartner	Hogoboom	Schnell
Belzer	Hovey	Schwartz
Benno	Isaak	Seibel
Blair	Jennings	Sellens
Boucher	Johnson, Richland	Severson
Bureau	Klefstad	Schimke
Brady	Langley	Sharpe
Bymers	Larson	Shockman
Dalzell	Leet	Skaar
Devlin	Levin	Smart
Drawz	Lillehaugen	Stair
Drovdal	Lindberg	Stanley
Ekren	Luick	Sticka
Engel	Lysne	Still
Esterby	McInnes	Stormon
Falconer	Maher	Thompson, Griggs
Forseth	Moe	Thompson, Rich'nd
Frank	Moerke	Tuff
Fraser	Mollet	Wambheim
Gainor	Monson	Welk
Grenier	Mork	Westby
Haag	Nystrom	Wolf, McIntosh
Halvorson	Ostgulen	Wollitz
Haugen	Pyle	Mr. Speaker
Haugland		

Absent and not voting:

Collette	Mortenson	Rohrer
Graham	Olson, Bowman	Wolf, Morton

So the bill was lost.

Rep. Fitch moved that the vote by which House Bill No. 202 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 26-2202, 26-2203, 26-2210, 26-2212, 26-2211, 26-2213, 26-2214, 26-2216, 26-2221, 26-2223, 26-2224, and 26-2254 of the North Dakota Revised Code for 1943 Relating

to the Operations of the State Hail Insurance Department; Defining the Duties of the Commissioner of Insurance; the Crops to Be Insured; Effective Date of Policies; Duties of Assessors, Inspectors, Adjusters, County Auditors; and Their Compensation; Indemnity to Be Paid; Effective Time of Insurance; Securities; Penalties for Violation; Special Policies; Repealing Acts in Conflict; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 61; nays, 43; absent and not voting, 8.

Those voting in the affirmative were:

Bagge	Haugland	Ohnstad
Baumgartner	Heckman	Ostgulen
Belzer	Hegge	Schimke
Bjella	Hofstrand	Schlafmann
Bolmeier	Isaak	Schmalenberger
Bubel	Jennings	Schmidt, Logan
Burau	Johnson, Richland	Schmidt, Morton
Dalzell	Larson	Schnell
Devlin	Leet	Schwartz
Dittmer	Levin	Seibel
Drovdal	Lillehaugen	Sellens
Ekren	Lindberg	Severson
Engel	McInnes	Skaar
Esterby	Maher	Stair
Falconer	Moe	Sticka
Forseth	Moerke	Thompson, Richl'nd
Frank	Mollet	Wambheim
Fraser	Monson	Welk
Haag	Mork	Wolf, McIntosh
Halvorson	Mortenson	Mr. Speaker
Haugen	/	

Those voting in the negative were:

Acheson	Halcrow	Sandness
Allen, Grand Forks	Herk	Saumur
Allen, Pierce	Hildre	Sharpe
Arndt	Hogoboom	Shockman
Benno	Hovey	Smart
Blair	Johnson, Cass	Stanley
Boucher	Klefstad	Still
Brady	Langley	Stormon
Callahan	Luick	Symington
Crockett	Lysne	Thompson, Griggs
Drawz	Nystrom	Tuff
Fitch	Olson, Barnes	Westby
Fuglestad	Pyle	Wollitz
Gainor	Sailer	Yirchott
Grenier		

Absent and not voting:

Anderson	Fleck	Rohrer
Bymers	Graham	Wolf, Morton
Collette	Olson, Bowman	

So the bill as amended passed and the title was agreed to and the emergency clause was declared lost.

Rep. Welk moved that the vote by which House Bill No.

254 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen: I am voting "aye" on this bill not because I believe in the bill as it is in its present form. If we pass other laws in the form this bill is drawn we might just as well not have a systematic code at all. I am voting "aye" in accordance with the understanding had this morning on the assumption that if passed in the Senate, we will fix it up in the proper order.

Rep. Johnson of Richland: I wish to explain my vote. There are things in this bill which are absolutely objectionable to me. I was in hopes we could amend it at this time but due to the fact that it could not be re-engrossed and with the understanding that the objectionable features will be amended in the Senate and that the sponsors will cooperate to that end, I vote "aye".

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 22; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Haag	Schimke
Allen, Grand Forks	Halcrow	Schlafmann
Allen, Pierce	Haugen	Schmalenberger
Arndt	Haugland	Schmidt, Logan
Bagge	Heckman	Schmidt, Morton
Baumgartner	Herk	Schnell
Benno	Hildre	Schwartz
Bjella	Hofstrand	Seibel
Blair	Hogboom	Sellens
Bolmeier	Isaak	Severson
Boucher	Johnson, Cass	Sharpe
Brady	Johnson, Richland	Shockman
Callahan	Klefstad	Skaar
Dittmer	Langley	Smart
Drawz	Larson	Stair
Drovdal	Leet	Stanley
Ekren	Luick	Sticka
Engel	Lysne	Still
Esterby	McInnes	Stormon
Falconer	Maher	Thompson, Griggs
Fitch	Mortenson	Wambheim
Forseth	Nystrom	Welk
Frank	Ohnstad	Westby
Fraser	Olson, Barnes	Wolf, McIntosh
Fuglestad	Pyle	Wollitz
Gainor	Saumur	Yirchott
Grenier	Sandness	Mr. Speaker
Those voting in the negative were:		
Belzer	Jennings	Monson

Bubel	Levin	Mork
Burau	Lillehaugen	Ostgulen
Crockett	Lindberg	Sailer
Dalzell	Moe	Symington
Devlin	Moerke	Thompson, Rich'nd
Halvorson	Mollet	Tuff
Hegge		

Absent and not voting:

Anderson	Fleck	Olson, Bowman
Bymers	Graham	Rohrer
Collette	Hovey	Wolf, Morton

So the bill passed as amended and the title was agreed to.

Rep. Brady moved that the vote by which House Bill No. 215 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Acheson	Haugland	Sailer
Allen, Grand Forks	Heckman	Sandness
Allen, Pierce	Hegge	Saumur
Arndt	Herk	Schimke
Bagge	Hildre	Schlafmann
Baumgartner	Hofstrand	Schmalenberger
Belzer	Hogoboom	Schmidt, Logan
Benno	Hovey	Schmidt, Morton
Bjella	Isaak	Schwartz
Blair	Jennings	Schnell
Bolmeier	Johnson, Cass	Seibel
Boucher	Johnson, Richland	Sellens
Brady	Langley	Severson
Bubel	Larson	Sharpe
Callahan	Leet	Shockman
Dalzell	Levin	Skaar
Devlin	Lillehaugen	Smart
Dittmer	Lindberg	Stair
Drawz	Luick	Stanley
Ekren	Lysne	Sticka
Engel	Maher	Still
Esterby	McInnes	Stormon
Falconer	Moe	Symington
Fitch	Moerke	Thompson, Griggs
Forseth	Mollet	Thompson, Rich'nd
Frank	Monson	Tuff
Fraser	Mork	Wambheim
Fuglestad	Mortenson	Welk
Gainor	Nystrom	Westby
Grenier	Ohnstad	Wolf, McIntosh
Haag	Olson, Barnes	Wollitz
Halcrow	Ostgulen	Yirchott

Halvorson Pyle Mr. Speaker  
Haugen

Absent and not voting:

Anderson	Crockett	Klefstad
Burau	Drovdal	Olson, Bowman
Bymers	Fleck	Rohrer
Collette	Graham	Wolf, Morton

So the bill passed as amended and the title was agreed to.

Rep. Hovey moved that the vote by which House Bill No. 215 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 50-0701, 50-0703, and 50-0715 of the North Dakota Revised Code of 1943 Pertaining to Definitions, Eligibility for Assistance, Payment of Assistance to Guardian for Benefit of Recipient, and Providing for Authority to Compromise and Settle Claims, for Old Age Assistance.

Was read the 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, 5; absent and not voting, 11.

Those voting in the affirmative were:

Acheson	Haag	Nystrom
Allen, Grand Forks	Halcrow	Ohnstad
Allen, Pierce	Halvorson	Olson, Barnes
Arndt	Haugen	Ostgulen
Bagge	Haugland	Pyle
Baumgartner	Heckman	Sandness
Belzer	Hegge	Schimke
Benno	Herk	Schlafmann
Bjella	Hildre	Schmalenberger
Blair	Hofstrand	Schmidt, Logan
Bolmeier	Hogoboom	Schmidt, Morton
Boucher	Hovey	Schnell
Brady	Isaak	Seibel
Bubel	Jennings	Sellens
Burau	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Crockett	Langley	Skaar
Dalzell	Larson	Stair
Devlin	Leet	Stanley
Dittmer	Levin	Sticka
Drawz	Lillehaugen	Still
Ekren	Lindberg	Stormon
Engel	Luick	Symington
Esterby	Lysne	Thompson, Griggs
Falconer	McInnes	Tuff
Fitch	Maher	Wambheim
Forseth	Moe	Welk
Frank	Moerke	Westby
Fraser	Mollet	Wolf, McIntosh
Fuglestad	Monson	Wollitz
Gainor	Mork	Yirchott
Grénier	Mortenson	Mr. Speaker

Those voting in the negative were:

Johnson, Cass	Saumur	Thompson, Rich'nd
Sailer	Severson	



## Absent and not voting:

Anderson	Fleck	Schwartz
Bymers	Graham	Smart
Collette	Olson, Bowman	Wolf, Morton
Drovdal	Rohrer	

So the bill passed as amended and the title was agreed to.

Rep. Hovey moved that the vote by which House Bill No. 214 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 236. A Bill for an Act to Amend and Re-enact Section 9-0806 of the North Dakota Revised Code of 1943 Relating to Unlawful and Void Contracts in Restraint of Professions and Business, and Exceptions.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 54; absent and not voting, 15.

## Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Nystrom
Arndt	Halcrow	Sailer
Bagge	Haugland	Saumur
Benno	Herk	Schimke
Bjella	Hildre	Schlafmann
Bolmeier	Hovey	Schmalenberger
Brady	Johnson, Richland	Schnell
Callahan	Johnson, Cass	Sellens
Crockett	Klefstad	Sharpe
Dalzell	Langley	Sticka
Dittmer	Luick	Thompson, Griggs
Drawz	Lysne	Wambheim
Ekren	McInnes	Yirchott
Fitch	Maher	Mr. Speaker
Fuglestad		

## Those voting in the negative were:

Acheson	Hegge	Schmidt, Logan
Allen, Pierce	Hofstrand	Schmidt, Morton
Baumgartner	Hogoboom	Schwartz
Belzer	Isaak	Seibel
Boucher	Jennings	Severson
Bubel	Larson	Shockman
Bureau	Leet	Skaar
Devlin	Levin	Stair
Engel	Lillehaugen	Stanley
Esterby	Lindberg	Still
Falconer	Moerke	Stormon
Forseth	Mollet	Symington
Frank	Monson	Thompson, Richl'nd
Grenier	Mork	Tuff
Haag	Mortenson	Welk
Halvorson	Ohnstad	Westby
Haugen	Pyle	Wolf, McIntosh
Heckman	Sandness	Wollitz

## Absent and not voting:

Anderson	Fleck	Olson, Bowman
Blair	Fraser	Ostgulen
Bymers	Graham	Rohrer

Collette	Moe	Smart
Drovdal	Olson, Barnes	Wolf, Morton

So the bill was lost.

Rep. Wolf of McIntosh moved that the vote by which House Bill No. 236 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 211. A Bill for an Act Amending and Re-enacting Section 5-0202 and Repealing Sections 5-0208 and 5-0209 of the North Dakota Revised Code of 1943 Relating to the Sale of Beer and Ale.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 63; nays, 38; absent and not voting, 11.

Those voting in the affirmative were:

Allen, Pierce	Haugland	Pyle
Arndt	Heckman	Sandness
Bjella	Herk	Saumur
Blair	Hildre	Schlafmann
Bolmeier	Hogoboom	Schmalenberger
Brady	Johnson, Cass	Seibel
Callahan	Johnson, Richland	Sellens
Dalzell	Klefstad	Severson
Devlin	Langley	Skaar
Dittmer	Leet	Smart
Drawz	Levin	Stanley
Drovdal	Lillehaugen	Still
Ekren	Luick	Stormon
Esterby	Lysne	Symington
Falconer	Moerke	Thompson, Griggs
Fitch	Mollet	Thompson, Rich'nd
Frank	Monson	Wambheim
Fuglestad	Mortenson	Westby
Gainor	Ohnstad	Wollitz
Halcrow	Olson, Barnes	Yirchott
Haugen	Ostgulen	Mr. Speaker

Those voting in the negative were:

Acheson	Halvorson	Schimke
Bagge	Hegge	Schmidt, Logan
Baumgartner	Hofstrand	Schmidt, Morton
Belzer	Hovey	Schnell
Benno	Isaak	Schwartz
Boucher	Jennings	Sharpe
Bubel	Larson	Shockman
Burau	Lindberg	Stair
Crockett	McInnes	Sticka
Engel	Maher	Tuff
Forseth	Mork	Welk
Grenier	Nystrom	Wolf, McIntosh
Haag	Sailer	

Absent and not voting:

Allen, Grand Forks	Fleck	Olson, Bowman
Anderson	Fraser	Rohrer
Bymers	Graham	Wolf, Morton
Collette	Moe	

So the bill as amended was declared lost.

Rep. Sticka moved that the vote by which House Bill No. 211 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Engel: I wish to explain my vote. I am a strong believer in equal rights and therefore I vote "no".

House Bill No. 212. A Bill for an Act to Amend and Re-enact Sections 5-0302, 5-0303 and 5-0320 of the North Dakota Revised Code of 1943 Relating to Sale of Liquor.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 69; nays, 29; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Ohnstad
Allen, Pierce	Halcrow	Olson, Barnes
Arndt	Haugen	Ostgulen
Bagge	Heckman	Pyle
Benno	Herk	Sandness
Bjella	Hildre	Saumur
Blair	Hofstrand	Schlafmann
Bolmeier	Hogoboom	Sellens
Brady	Hovey	Severson
Callahan	Johnson, Cass	Sharpe
Dalzell	Johnson, Richland	Skaar
Devlin	Klefstad	Smart
Dittmer	Langley	Stanley
Drawz	Leet	Still
Drovdal	Levin	Stormon
Ekren	Lillehaugen	Symington
Engel	Luick	Thompson, Griggs
Esterby	Lysne	Thompson, Richland
Falconer	McInnes	Wambheim
Fitch	Moe	Westby
Forseth	Mollet	Wollitz
Fraser	Mortenson	Yirchott
Fuglestad	Nystrom	Mr. Speaker

Those voting in the negative were:

Acheson	Hegge	Schmalenberger
Baumgartner	Isaak	Schmidt, Logan
Belzer	Jennings	Schmidt, Morton
Boucher	Larson	Schwartz
Bubel	Lindberg	Seibel
Bureau	Maher	Sticka
Crockett	Moerke	Tuff
Frank	Mork	Welk
Grenier	Sailer	Wolf, McIntosh
Haag	Schimke	

Absent and not voting:

Anderson	Halvorson	Schnell
Bymers	Haugland	Shockman
Collette	Monson	Stair
Fleck	Olson, Bowman	Wolf, Morton
Graham	Rohrer	

So the bill as amended was declared lost.

Rep. Welk moved that the vote by which House Bill No. 212 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 21, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 163. A Bill for an Act to Amend and Re-enact Section 16-1712 of the North Dakota Revised Code of 1943, Relating to the Selection of Delegate to State Committee When Two or More Counties Embraced in Legislative District.

Senate Bill No. 210. A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hettinger in Adams County and Langdon in Cavalier County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 40-2410 of the North Dakota Revised Code of 1943, Authorizing Cities to Assume a Limited General Obligation for the Payment of the Cost of Local Improvements; Providing for the Levy and Collection of General Taxes to Meet Such Limited Obligation; Limiting the Amount of Taxes to Be Levied in any One Year; Creating a Trust Fund; Providing That the Act Operate Prospectively Only; Repealing Paragraph (g) of Subdivision 2 of Section 21-0306; Section 21-0325 and Section 40-2608 of the North Dakota Revised Code of 1943, and All Other Acts in Conflict Therewith.

Senate Bill No. 105. A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact Insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto, and Providing Such Associations of Individuals Shall Comply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Therefor Through Special Assessments Against the Property Benefited.

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies.

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

House Concurrent Resolution "L." Proposed Amendment to the Constitution of the State of North Dakota, Relative to Provisions of Section 202 of the Constitution of the State of North Dakota, as Amended, Dealing with Issuance or Payment of Bonds.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 18; absent and not voting, 11.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Sandness
Allen, Pierce	Halcrow	Saumur
Anderson	Halvorson	Schimke
Arndt	Haugen	Schlafmann
Bagge	Heckman	Schmalenberger
Baumgartner	Hegge	Schmidt, Logan
Belzer	Hildre	Schmidt, Morton
Bolmeier	Hofstrand	Schnell
Bubel	Hogoboom	Schwartz
Bureau	Hovey	Seibel
Bymers	Johnson, Richland	Sellens
Callahan	Klefstad	Severson
Crockett	Langley	Shockman
Dalzell	Larson	Skaar
Devlin	Leet	Stair
Dittmer	Levin	Stanley
Drovdal	Lillehaugen	Sticka
Drawz	Lindberg	Still
Engel	Luick	Stormon
Esterby	McInnes	Thompson, Richl'nd
Falconer	Maher	Tuff
Fitch	Moerke	Wambheim
Fleck	Mollet	Welk
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wollitz
Fraser	Mortenson	Mr. Speaker
Gainor	Ohnstad	

Those voting in the negative were:

Blair	Jennings	Pyle
Boucher	Johnson, Cass	Sailer
Brady	Lysne	Sharpe
Collette	Moe	Symington
Herk	Nystrom	Thompson, Griggs
Isaak	Olson, Barnes	Yirchott

Absent and not voting:

Benno	Graham	Smart
Bjella	Haugland	Westby
Ekren	Olson, Bowman	Wolf, Morton
Fuglestad	Rohrer	

So the resolution as amended was adopted.

Rep. Forseth moved that the vote by which House Concurrent Resolution "L" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fitch moved that action on House Bill No. 284 be deferred, which motion prevailed.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Bill No. 71. A Bill for an Act Providing for the

**Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.**

House Bill No. 161. A Bill for an Act to Amend and Re-enact Subsection 3, Section 39-1204 of the Revised Code of North Dakota for 1943, Relating to Length Limitations on Motor Vehicles.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

House Bill No. 210. A Bill for an Act to Amend and Re-enact Section 61-1230 of the North Dakota Revised Code of 1943.

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 50-0701, 50-0703, and 50-0715 of the North Dakota Revised Code of 1943 Pertaining to Definitions, Eligibility for Assistance, Payment of Assistance to Guardian for Benefit of Recipient, and Providing for Authority to Compromise and Settle Claims, for Old Age Assistance.

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensa-

tion of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 26-2202, 26-2203, 26-2210, 26-2212, 26-2211, 26-2213, 26-2214, 26-2216, 26-2221, 26-2223, 26-2224, and 26-2254 of the North Dakota Revised Code for 1943 Relating to the Operations of the State Hail Insurance Department; Defining the Duties of the Commissioner of Insurance; the Crops to Be Insured; Effective Date of Policies; Duties of Assessors, Inspectors, Adjusters, County Auditors; and Their Compensation; Indemnity to Be Paid; Effective Time of Insurance; Securities; Penalties for Violation; Special Policies; Repealing Acts in Conflict; and Declaring an Emergency.

House Bill No. 261. A Bill for an Act Amending and Re-enacting Section 43-0920 of the North Dakota Revised Code of 1943, Relating to Contracts for the Installation of Electrical Wiring and Installation of Electrical Equipment; Declaring an Emergency.

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "L." Proposed Amendment to the Constitution of the State of North Dakota, Relative to Provisions of Section 202 of the Constitution of the State of North Dakota, as Amended, Dealing with Issuance or Payment of Bonds.

Which the House has passed and your favorable consideration is requested.

**KENNETH L. MORGAN, Chief Clerk.**

Rep. Fleck reported that the committee appointed to meet Mrs. Graham had taken her to her hotel first, then over to the hospital where Rep. Graham has a fine room and receiving good care. He seemed to be resting as comfortably as could be expected. I believe that is all your committee can be of service and therefore ask to be discharged.

Rep. Sailer moved that the report of the committee be received and the committee discharged, which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senate Bill No. 32. A Bill for an Act Transferring to the Veterans Post-War Rehabilitation Reserve Fund the Sum of Five Hundred Thousand Dollars (\$500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Was read the first time and referred to the Committee on Veterans and Military Affairs.

Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.

Was read the first time and referred to the Committee on Ways and Means.

Senate Concurrent Resolution No. 9. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 198. A Bill for an Act Amending and Re-enacting Section 20-0104, of the North Dakota Revised Code of 1943, Relating to Unauthorized Methods of Taking Game Birds and Game Animals; Section 20-0201, of the North Dakota Revised Code of 1943, Relating to State Game and Fish Commissioner: Office to Be Maintained; Appointment; Term; Removal; Section 20-0203, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Commissioner; Audit and Payment; Section 20-0204, of the North Dakota Revised Code of 1943, Relating to Duties of Commissioner; Section 20-0205, of the North Dakota Revised Code of 1943, Relating to Powers of Commissioner; Section 20-0207, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Deputy Commissioner; Audit and Payment; Section 20-0209, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Chief Game Warden; Section 20-0211, of the North Dakota Revised Code of 1943, Relating to District Deputy Game Wardens; Appointment; Removal; Bond; Section 20-0302, of the North Dakota Revised Code of 1943, Relating to License to Hunt, Fish, or Trap Not Required of Residents; When; Exceptions; Section 20-0310, of the North Dakota Revised Code of 1943, Relating to License to Hunt Big Game Required; Penalty; Section 20-0315, of the North Dakota Revised Code of 1943, Relating to Rights Granted by Commer-



cial Fishing License; Subsection 1 of Section 20-0325, of the North Dakota Revised Code of 1943, Relating to Buying or Shipping Green Furs; License Required; Expiration of License; Fees; Disposition of Fees; Section 20-0402, of the North Dakota Revised Code of 1943, Relating to Statutory Season for Hunting Game Birds; Subject to Change by Proclamation; Section 20-0404, of the North Dakota Revised Code of 1943, Relating to Possession of Limit of Game Birds; Section 20-0501, of the North Dakota Revised Code of 1943, Relating to Big Game Animals Protected; Section 20-0507, of the North Dakota Revised Code of 1943, Relating to Seals to Be Attached to Carcasses of Big Game Animals; When; Commissioner to Furnish Seals; Section 20-0601, of the North Dakota Revised Code of 1943, Relating to Fish Which Are Protected; Section 20-0605, of the North Dakota Revised Code of North Dakota for 1943, Relating to Size of Protected Fish That May Be Taken; Small Fish to Be Returned Unharmed; Penalty; Section 20-0701, of the North Dakota Revised Code of 1943, Relating to Property Rights; Wild Fur-Bearing Animals; Section 20-0403, of the North Dakota Revised Code of 1943, Relating to Bag Limits on Game Birds; Section 20-0212 of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of District Deputy Game Wardens; Section 20-0217 of the North Dakota Revised Code of 1943, Relating to Police Powers of Commissioner; Repealing All Acts or Parts of Acts in Conflict Herewith; and Providing a Saving Clause.

Was read the first time and referred to the Committee on Game and Fish.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Was read the first time and referred to the Committee on Veterans and Military Affairs.

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of 1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Section 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Was read the first time and referred to the Committee on Insurance.

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Was read the first time and referred to the Committee on Public Welfare.

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Foreclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 57-1604 and Section 57-1606 of the North Dakota Revised Code of 1943 Relating to Elections to Authorize Excess Levies and Providing the Form of Ballot in School District Elections.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 24-0105 of the North Dakota Revised Code of 1943, Relating to the Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Such Highways.

Was read the first time and referred to the Committee on Highways and Bridges.

Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code of 1943, Relating to the Oath of Office, Filling of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 Revised Code 1943, Pertaining to the Duties of the State Dairy Commissioner and Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the Revised Code of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

Was read the first time and referred to the Committee on Livestock.

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Was read the first time and referred to the Committee on Highways and Bridges.

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings,

Specifications, Procedures, and Other Actions Preliminary to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Committee on Federal Relations.

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 57-1705 of the North Dakota Revised Code of 1943, Relating to the Vote Required to Grant Authority for Excess Levies in Counties, Municipalities and Townships; Providing That Such Excess Levy May Be for Five Years; and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways and Bridges.

Senate Bill No. 93. A Bill for an Act to Regulate Primary and General Elections and to Facilitate the Participation Therein of Electors Engaged in the Military or Naval Service or in the Merchant Marine of the United States and to Amend and Re-enact Sections 16-0107, 16-0402, 16-0403, 16-0404, 16-0405, 16-0406, 16-0408, 16-0412, 16-0503, 16-0504, 16-0505, 16-0807, 16-1701, 16-1703, 16-1801, 16-1804, 16-1805, 16-1806, 16-1808, 16-1811, 16-1813, and 16-1814 of the North Dakota Revised Code of 1943; and to Repeal Section 16-1812 of the North Dakota Revised Code of 1943 and Chapter 16- (House Bill No. 3), and Chapter 17 (House Bill No. 9), Chapter 18 (House Bill No. 4), Chapter 19 (House Bill No. 11), Chapter 20 (House Bill No. 10), Chapter 21 (House Bill No. 2), Chapter 22 (House Bill No. 13), Chapter 23 (House Bill No. 8), Chapter 24 (House Bill No. 5), Chapter 25 (House Bill No. 7), and Chapter 26 (House Bill No. 12), of the Authenticated Edition of the Special Session Laws of 1944.

Was read the first time and referred to the Committee on Election and Election Privileges.

Senate Bill No. 86. A Bill for an Act to Deny to Defeated Candidates for Nomination to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office for Which They Were Defeated and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Election and Election Privileges.

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Was read the first time and referred to the Committee on Veterans and Military Affairs.

**Senate Bill No. 208.** A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Was read the first time and referred to the Committee on State Affairs.

**Senate Bill No. 207.** A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on State Affairs.

**Senate Bill No. 202.** A Bill for an Act to Amend and Re-enact Section 65-0202, of the North Dakota Revised Code of 1943, Pertaining to Oath of Office; Salary.

Was read the first time and referred to the Committee on Judiciary.

**Senate Bill No. 163.** A Bill for an Act to Amend and Re-enact Section 16-1712 of the North Dakota Revised Code of 1943, Relating to the Selection of Delegate to State Committee When Two or More Counties Embraced in Legislative District.

Was read the first time and referred to the Committee on Election and Election Privileges.

**Senate Bill No. 210.** A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hettinger in Adams County and Langdon in Cavalier County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture.

**Senate Bill No. 103.** A Bill for an Act to Amend and Re-enact Section 40-2410 of the North Dakota Revised Code of 1943, Authorizing Cities to Assume a Limited General Obligation for the Payment of the Cost of Local Improvements; Providing for the Levy and Collection of General Taxes to Meet Such Limited Obligation; Limiting the Amount of Taxes to Be Levied in any One Year; Creating a Trust Fund; Providing That the Act Operate Prospectively Only; Repealing Paragraph (g) of Subdivision 2 of Section 21-0306; Section 21-0325 and Section 40-2608 of the North Dakota Revised Code of 1943, and All Other Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

**Senate Bill No. 105.** A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact Insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto, and Providing Such Associations of Individuals Shall Comply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

Was read the first time and referred to the Committee on Insurance.

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Therefor Through Special Assessments Against the Property Benefited.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies.

Was read the first time and referred to the Committee on Judiciary.

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

Was read the first time and referred to the Committee on Insurance.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 21, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; and Repealing all Acts or Parts of Acts in Conflict Herewith.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 21, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Organized Townships, Villages and Cities of the State of North Dakota.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 21, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 16-0415; 16-0420 and 16-0426 of the 1943 Code Relative to Primary Election Ballots and Poll Lists. And Repealing all Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Tax Commissioner of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages. Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Tax Commissioner, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 161.

And find the same correctly Re-engrossed.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolution:

House Bill No. 214.

House Bill No. 177.

House Bill No. 236.

House Bill No. 284.

House Bill No. 215.

House Concurrent Resolution "L".

And find the same correctly Engrossed.

REP. LEET, Chairman.

Rep. Burau moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 211.

House Bill No. 212.

And find the same correctly Re-engrossed.

REP. LEET, Chairman.

Rep. Burau moved that the report be adopted, which motion prevailed and the report was adopted.

### FIRST READING OF SENATE BILLS

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Tax Commissioner of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages. Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Tax Commissioner, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Temperance.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Was read the first time and referred to the Committee on Tax and Tax Laws.

Senate Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 16-0415; 16-0420 and 16-0426 of the 1943 Code Relative to Primary Election Ballots and Poll Lists. And Repealing all Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Election and Election Privileges.

### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 35.

Senate Bill No. 41.

Senate Bill No. 78.

And the Speaker signed the same in the presence of the House.

Rep. Johnson of Richland moved that we recess subject to the call of the chair, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 20, 1945

Mr. President: I have the honor to return:

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Organized Townships, Villages and Cities of the State of North Dakota.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

Rep. Arndt moved that the absent members be excused, which motion prevailed.

Rep. Crockett moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

#### FIFTY-FIRST DAY

Bismarck, February 21, 1945

The House convened at 2:00 o'clock p.m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Speaker Bergesen.

Roll call: All members present except Reps. Olson of Bowman, Graham and Rohrer.

Rep. Bymers moved that the House recess until 1:45 o'clock p.m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.



FIFTY-FIRST DAY AFTER RECESS  
AND FIFTY-SECOND DAY

Bismarck, February 22, 1945

The House reconvened at 1:45 o'clock p. m., pursuant to recess taken, Speaker Bergesen presiding.

MESSAGE FROM THE GOVERNOR  
STATE OF NORTH DAKOTA  
OFFICE OF THE GOVERNOR

Bismarck, February 22, 1945

To the House of Representatives  
House Chambers  
Bismarck, North Dakota  
Gentlemen:

This is to notify you that I have approved the following House Bills:

House Bill No. 17.  
House Bill No. 42.  
House Bill No. 50.  
House Bill No. 51.  
House Bill No. 56.  
House Bill No. 82.  
House Bill No. 101.

And the same have been filed with the Secretary of State.

Respectfully,

FRED G. AANDAHL,  
Governor of North Dakota.

Rep. Schmalenberger moved that the absent members be excused, which motion prevailed.

Rep. Welk moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

FIFTY-SECOND DAY

Bismarck, February 22, 1945

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. G. Adolph Johns.

Roll call: All members present except Reps. Olson of Bowman, Graham and Halvorson.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Continuation of the Forty-ninth Day After Recess, Fiftieth Day, Fiftieth Day After Recess and the Firty-first Day and recommends that the same be corrected as follows:

In the Message to the Senate on page 731 change Senate Bill No. 15 to Senate Concurrent Resolution No. 15.

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 66.

And find the same correctly Enrolled.

REP. LEET, Chairman.

Rep. Burau 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:

House Bill No. 15.

House Bill No. 68.

House Bill No. 81.

Were delivered to the Governor for his approval at the hour of 4:45 o'clock p. m., February 21, 1945.

REP. LEET, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 177, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Nystrom moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 7, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Brady 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. 115, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Saumur moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom

was referred Senate Bill No. 182, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 150, have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title after the word "act" strike the "period" and add the following language "and repealing all acts or parts of acts in conflict herewith."

And when so amended recommend the same do pass.

REP. BOLMEIER, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bolmeier moved that the rules be suspended and Senate Bill No. 150 be amended as recommended by the Standing Committee report, which motion prevailed, and the Amendments were declared adopted and Senate Bill No. 150 placed on the Calendar.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 66.

And the Speaker signed the same in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 22, 1945

Mr. President: I have the honor to transmit:

House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural College at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Was read the second time.

Rep. Haugen moved that action on Senate Bill No. 106 be deferred one legislative day, which motion prevailed.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Com-

penation of the Chief Engineer of the State Highway Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 21; absent and not voting, 5.

Those voting in the affirmative were:

Arndt	Grenier	Olson, Barnes
Allen, Pierce	Halcrow	Ostgulen
Anderson	Haugen	Pyle
Bagge	Haugland	Rohrer
Baumgartner	Heckman	Sailer
Benno	Hegge	Sandness
Bjella	Herk	Saumur
Blair	Hildre	Schimke
Bolmeier	Hofstrand	Schlafmann
Boucher	Hogboom	Schmalenberger
Brady	Hovey	Seliens
Burau	Isaak	Severson
Bymers	Jennings	Sharpe
Callahan	Johnson, Cass	Shockman
Collette	Johnson, Richland	Skaar
Crockett	Klefstad	Smart
Dalzell	Langley	Stanley
Devlin	Larson	Sticka
Dittmer	Leet	Still
Drawz	Lillehaugen	Stormon
Drovdal	Lindberg	Symington
Ekren	Luick	Thompson, Griggs
Esterby	Lysne	Wambheim
Falconer	McInnes	Westby
Fitch	Maher	Wolf, Morton
Fleck	Moe	Wollitz
Forseth	Mortenson	Yirchott
Frank	Nystrom	Mr. Speaker
Gainor	Ohnstad	

Those voting in the negative were:

Acheson	Levin	Schnell
Belzer	Moerke	Schwartz
Bubel	Mollet	Seibel
Engel	Monson	Thompson, Richl'nd
Fraser	Mork	Tuff
Fuglestad	Schmidt, Logan	Welk
Haag	Schmidt, Morton	Wolf, McIntosh

Absent and not voting:

Allen, Grand Forks	Halvorson	Stair
Graham	Olson, Bowman	

So the bill passed and the title was agreed to.

Rep. Brady moved that the vote by which Senate Bill No. 125 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett: I want to explain my vote and have it recorded. I think this is a just practice. Listen to the assurance of our Chairman of the Appropriations Committee, Mr. Johnson. If he will see that there is a limit set and find out that the Highway Department is not going to have

an excess amount of help for the rest of the duration when we are not building very many roads, I will change my opinion for the reason that I think when Art says he will do it I think he will.

Therefore I vote "aye".

Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Pierce	Haag	Rohrer
Anderson	Halcrow	Sailer
Arndt	Haugen	Sandness
Baumgartner	Haugland	Saumur
Belzer	Heckman	Schimke
Benno	Hegge	Schlafmann
Bjella	Herk	Schmalenberger
Blair	Hildre	Schmidt, Logan
Bolmeier	Hofstrand	Schmidt, Morton
Boucher	Hogoboom	Schnell
Brady	Hovey	Schwartz
Bubel	Isaak	Seibel
Burau	Jennings	Sellens
Bymers	Johnson, Cass	Severson
Callahan	Johnson, Richland	Sharpe
Collette	Klefstad	Shockman
Crockett	Langley	Skaar
Dalzell	Larson	Smart
Devlin	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	Moe	Thompson, Griggs
Esterby	Moerke	Thompson, Rich'nd
Falconer	Mollet	Tuff
Fitch	Monson	Welk
Fleck	Mork	Westby
Forseth	Mortenson	Wolf, McIntosh
Frank	Nystrom	Wolf, Morton
Fraser	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Yirchott
Gainor	Ostgulen	Mr. Speaker

Absent and not voting:

Allen, Grand Forks	Leet	Olson, Bowman
Bagge	McInnes	Stair
Graham	Maher	Wambheim
Halvorson		

So the bill as amended passed and the title was agreed to and the emergency clause was declared carried.

Rep. Fuglestad moved that the House do now recess to go into Joint Session with the Senate, which motion prevailed.

The House reconvened and received the Senate in Joint Assembly for the Joint Memorial Session.

The Joint Memorial Session was called to order by Lt. Governor Dahl, President of the Senate.

Rep. Heckman moved that a Committee of three be appointed to escort the Honorable Fred G. Aandahl, Governor of the State of North Dakota to the rostrum, which motion prevailed and Reps. Heckman and Hovey and Senator Nelson of Griggs and Steele were appointed and escorted Governor Aandahl to the rostrum.

### TWENTY-NINTH LEGISLATIVE ASSEMBLY MEMORIAL SERVICE

3 P. M. THURSDAY, FEBRUARY 22nd

Prayer by Rev. Paul G. Hayes.

America, First Stanza. Solo by Edna Gunderson. Audience joins in last stanza.

Selection by Bismarck High School Trio.

Reading of names of deceased Senate Members and Presentation of Resolution by Senator Axel Olson.

Reading of names of deceased House Members and Presentation of Resolution by Rep. L. E. Callahan.

Memorial address by Arch Deacon Scovil of the Episcopal Church of North Dakota.

Selection by Bismarck High School Trio.

Senator Olson of Mountrail moved that the Joint Memorial Session be dissolved, which motion prevailed and the Joint Memorial Session was dissolved.

The House was called to order, Speaker Bergesen presiding.

Rep. Sticka moved that the Memorial Resolution as to the deceased House members be printed in the Journal, which motion prevailed.

### HOUSE OF REPRESENTATIVES JOINT MEMORIAL RESOLUTION

Presented by Committee on Joint Memorial Resolutions

WHEREAS, the following members of the North Dakota House of Representatives: Representative J. E. Bass of the 43rd legislative district; served 1913-15; Representative Mark Chatfield of the 29th legislative district, served 1909; Representative George Piercy of the 23rd legislative district, served 1905; B. G. Tenneson of the 9th legislative district, served 1917; L. L. Twichell of the 9th legislative district, served 1913-44; Representative Tobias D. Casey of the 4th legislative district, served 1905-07; Representative Fred Schurr of the 28th legislative district, served 1923-37; Representative William Pleasance of the 1st legislative district, served 1917-19; Representative E. F. Gilbert of the 10th legislative district, served 1903-05; Representative Fay Harding of the 26th legislative district, served 1917-21; Representative J. D. Root of the 25th legislative district, served 1921-25; Representative Ole O. Moen of the 8th legislative district, served 1919; Representative James H. Sinclair of the 2nd legislative district, served 1915-17; Representative Fred Underwood of the 14th legislative district, served 1903-05; Representative J. W.

Bailey of the 48th legislative district, served 1935-37; Representative A. L. Maxwell of the 46th legislative district, served 1917-21; Representative Einar Lohrbauer of the 24th legislative district, served 1935; Representative J. L. Gorder of the 28th legislative district, served 1911; Representative Leonas Myers of the 33rd legislative district, served 1937-43; Representative Nels Olsgaard of the 37th legislative district, served 1911-13 and 1919-21; Representative J. A. T. Bjornson of the 24th legislative district, served 1901 and 1911-13; Representative A. E. Jones of the 14th legislative district, served 1907; Representative E. E. Iverson of the 16th legislative district, served 1923-27 and 1931; Representative L. J. Zimmer of the 6th legislative district, served 1889-90; Representative Dr. Charles L. McLaughlin of the 22nd legislative district, served 1895; Representative O. C. Olson of the 49th legislative district, served 1931-37; Representative Nels Tanberg of the 5th legislative district, served 1889-90; Representative William Wick of the 5th legislative district, served 1937; Representative R. H. Walker of the 48th legislative district, served 1919-23; Representative Peder L. Hjelmstad of the 3rd legislative district, served 1913-15; Representative Keith L. Boulden of the 5th legislative district, served 1939-45; Representative John F. Zimmerman of the 31st legislative district, served 1925-29; Representative Jacob Bittner of the 36th legislative district, served 1929-31, and Representative Lars Ellingson of the 21st district, served 1925-27 and special session of 1928, have gone to their final reward since the 28th Legislative Assembly.

WHEREAS, These public servants contributed a great deal to the welfare of their respective communities and State; born, some in this country and some abroad, they all gave their utmost in a common cause for the betterment and preservation of the American way of life;

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the Twenty-ninth Legislative Assembly of the State of North Dakota, that in this time of war and its attendant stresses, we pause in our deliberations to pay tribute to their revered memory, and in behalf of the people of North Dakota to show our deep gratitude for their devoted service in this State; as they consecrated themselves to a great service, let us carry on the task which they have begun;

BE IT FURTHER RESOLVED, That for the perpetuation of record, this token of respect and sympathy by their successors in trust be printed in the Journal of the House; and let duly enrolled copies be presented to the surviving families of these deceased representatives.

Rep. Bolmeier moved that the House recess until 1:30 o'clock p. m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

FIFTY-SECOND DAY AFTER RECESS  
AND FIFTY-THIRD DAY

Bismarck, February 23, 1945

The House reconvened at 1:30 o'clock p.m., pursuant to recess taken, Speaker Bergesen presiding.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Federal Relations to whom was referred Senate Bill No. 55, have had the same under consideration and recommend that the same be amended as follows:

At the end of line 16 and the beginning of line 17 strike out the word 'commission' and insert in lieu thereof the word 'committee.'

And when so amended recommend the same do pass.

REP. HOVEY, Chairman.

Rep. Yirchott moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Hovey moved that the rules be suspended and Senate Bill No. 55 be amended as recommended by the Standing Committee Report, which motion prevailed and the Amendments were declared adopted and Senate Bill No. 55 placed on the Calendar.

Mr. Speaker: Your Committee on Federal Relations to whom was referred Senate Bill No. 56, have had the same under consideration and recommend that the same be amended as follows:

Line 47 strike out the word 'herein' and in lieu thereof insert the word 'therein.'

Line 75 correct the spelling of the word 'judgment.'

Line 96 correct the spelling of the word 'thereof.'

Line 233 strike out the word 'and' following the word 'that' and in lieu thereof insert the word 'end.'

And when so amended recommend the same do pass.

REP. HOVEY, Chairman.

Rep. Devlin moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Hovey moved that the rules be suspended and Senate Bill No. 56 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 56 was placed on the Calendar.



## MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 23, 1945

Mr. Speaker: The Senate begs to advise that Senate Bill No. 67 now in your possession, was reconsidered by the Senate after having been enrolled, then amended, and your favorable consideration is respectfully requested.

W. J. TROUT, Secretary.

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 193, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BOLMEIER, Chairman.

Rep. Sailer moved that the report be adopted.

Rep. Bolmeier offered as a substitute motion that the rules be suspended and Senate Bill No. 193 be amended by striking out the word "alphabetically" in line 17, which motion was lost.

Rep. Bolmeier offered as a substitute motion that Senate Bill No. 193 be placed on the calendar, which motion lost.

The question was on the adoption of the committee report that Senate Bill No. 193 be indefinitely postponed, which motion prevailed.

A roll call was demanded.

## ROLL CALL

The question being on the motion to indefinitely postpone Senate Bill No. 193, the roll was called and there were ayes, 78; nays, 30; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Haugland	Sailer
Allen, Grand Forks	Heckman	Sandness
Allen, Pierce	Hegge	Saumur
Anderson	Herk	Schimke
Baumgartner	Hofstrand	Schlafmann
Belzer	Hogoboom	Schmalenberger
Bolmeier	Hovey	Schmidt, Logan
Boucher	Isaak	Schmidt, Morton
Bubel	Jennings	Schnell
Bureau	Klefstad	Schwartz
Crockett	Langley	Seibel
Devlin	Larson	Sellens
Dittmer	Levin	Severson
Drovdal	Lillehaugen	Sharpe
Engel	Lindberg	Shockman
Esterby	Maher	Smart
Falconer	Moe	Stair
Fitch	Moerke	Stanley
Forseth	Mollet	Sticka
Frank	Monson	Still
Fraser	Mork	Thompson, Richl'nd
Fuglestad	Mortenson	Tuff
Gainor	Nystrom	Welk
Grenier	Ostgulen	Wolf, McIntosh
Haag	Pyle	Wolf, Morton
Haugen	Rohrer	Wollitz

Those voting in the negative were:

Arndt	Drawz	Ohnstad
Bagge	Ekren	Olson, Barnes
Benno	Halcrow	Skaar
Bjella	Hildre	Stormon
Blair	Johnson, Cass	Symington
Brady	Johnson, Richland	Thompson, Griggs
Bymers	Leet	Wambheim
Callahan	Luick	Westby
Collette	Lysne	Yirchott
Dalzell	McInnes	Mr. Speaker

Absent and not voting:

Fleck	Halvorson	Olson, Bowman
Graham		

So the motion prevailed and Senate Bill No. 193 was indefinitely postponed.

Rep. Bolmeier voted "aye" for the purpose of reconsideration.

Rep. Crockett: I wish to explain my vote and have it recorded. This bill will not solve one problem. It will just make hours and hours more of work. If anyone can tell me that an oil station which has 600 stockholders, that a man can make that report in one hour, I tell you he is crazy. I vote "aye".

MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 23, 1945

Mr. President: I have the honor to return:

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Compensation of the Chief Engineer of the State Highway Department.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 23, 1945

Mr. President: I have the honor to return:

Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

Rep. Wolf of McIntosh moved that the absent members be excused, which motion prevailed.

Rep. Schimke moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

FIFTY-THIRD DAY

Bismarck, February 23, 1945

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. Laten E. Teare.

Roll call: All members present except Reps. Olson of Bowman, Graham and Halvorson.

The Committee on Revision and Correction of the Journal made the following report:

**Mr. Speaker:** Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-first Day After Recess and the Fifty-second Day and recommends that the same be corrected as follows:

In line 14 from the bottom of page 766 change the initial "D" to "G".

And when so corrected recommends that the same be approved.

**REP. FUGLESTAD, Chairman.**

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

**Mr. Speaker:** Your Committee on State Affairs to whom was referred Senate Bill No. 207, have had the same under consideration and recommend that the same be indefinitely postponed.

**REP. BOLMEIER, Chairman.**

Rep. Falconer moved that the report be adopted.

Rep. Schnell offered as a substitute motion that Senate Bill No. 207 be placed on the calendar, which motion was lost.

The question was on the adoption of the committee report, which motion prevailed.

A division was called for and which revealed 65 for and 30 against, so the motion prevailed and Senate Bill No. 207 was indefinitely postponed.

Rep. Fuglestad moved that the vote by which Senate Bill No. 207 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Mr. Speaker:** Your Committee on Public Safety to whom was referred Senate Bill No. 48, have had the same under consideration and recommend that the same be amended as follows:

In line 10 strike out the words 'or to be employed in any of said places.'

And when so amended recommend the same do pass.

**REP. WESTBY, Chairman.**

Rep. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Leet moved that the rules be suspended and Senate Bill No. 48 be amended as follows:

In the title strike out the words "Revised Code for North Dakota for 1943" and insert in lieu thereof "North Dakota Revised Code of 1943".

In line 2 of the bill strike out the words "Revised Code for North Dakota for 1943" and insert in lieu thereof "North Dakota Revised Code of 1943".

And renumber the lines.

Which motion prevailed.

Rep. Westby moved that the rules be suspended and Senate Bill No. 48 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 48 was placed on the calendar.

Mr. Speaker: Your Committee on Drainage and Irrigation, to whom was referred Senate Bill No. 122, have had the same under consideration and recommend that the same be amended as follows:

In line 363 after the word "1st" change the word "ot" to "to".

And when so amended recommend the same do pass.

REP. SAILER, Chairman.

Rep. Burau moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Sailer moved that the rules be suspended and Senate Bill No. 122 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 48 was placed on the Calendar.

Mr. Speaker: Your Committee on Public Health, to whom was referred Senate Bill No. 117, have had the same under consideration and recommend that the same do pass.

REP. NYSTROM, Chairman.

Rep. Fraser 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. 116, have had the same under consideration and recommend that the same do pass.

REP. NYSTROM, Chairman.

Rep. Benno 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. 201, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Cass, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the vote by which Senate Bill No. 201 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 23, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 165.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, February 23, 1945

Mr. Speaker: I have the honor to transmit:  
Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and

Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 23, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State.

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use of the Attorney General in Administering the Provisions of Said Act During the Biennium Ending June 30, 1947, Pro-

viding That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act.

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Exempting Hospital Associations Organized for Non-profit from Provisions of Section; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Correspondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 23, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

House Bill No. 53. A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for the Purchase Price of Chairs for Legislative Committees; and Declaring an Emergency.

House Bill No. 85. A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof; Establishing the Office of Commissioner of Veterans' Affairs; Providing the Qualifications, the Manner of Appointment, Duties and Salary of Such Officer, and Prescribing His Duties.

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

House Bill No. 128. A Bill for an Act Continuing in Force and Effect All Standing and Continuing Appropriations Omitted from the North Dakota Revised Code of 1943; Declaring an Emergency.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Sections 38-0314 and Sections 38-0404 of the North Dakota Revised Code of 1943 and Repealing Section 38-0405 of the North Dakota Revised Code of 1943 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 23, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

House Bill No. 46. A Bill for an Act Requiring That County Auditors Be Notified Whenever Lands Owned by the State as Trustee of the Permanent School Fund Are Sold Upon Contract Providing for a Future Conveyance; and Providing Penalty for Failure to Do So; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor. Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

**House Bill No. 117.** A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

**House Bill No. 118.** A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

**House Bill No. 139.** A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

**House Concurrent Resolution "M."** Memorializing the Congress of the United States to Enact Legislation Permitting the Cancellation of All Accrued Interest Charges on Outstanding Feed and Seed Loans.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 23, 1945

Mr. Speaker: I have the honor to return:

**House Bill No. 125.** A Bill for an Act Relating to Attorney, Brokerage or Other Fees or Commissions in Funding or Refunding Indebtedness of Counties, Cities, Villages, Townships, and School Districts and Park Districts, and Providing a Penalty for the Violation of This Act.

**House Bill No. 96.** A Bill for an Act to Amend and Re-enact Section 33-0209 of the North Dakota Revised Code of 1943 Relating to Service of Summons in an Action in Justice Court.

**House Bill No. 97.** A Bill for an Act Amending and Re-enacting Sections 28-0619 and 28-0628 of the North Dakota Revised Code of 1943 Relating to the Service of Summons and Proof of Service Thereof; and Repealing Section 28-0629 and All Acts and Parts of Acts in Conflict Herewith.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 123, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Cass, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Wolf of McIntosh moved that the vote by which Senate Bill No. 123 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 91, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Cass, Chairman.

Rep. Smart moved that the report be adopted, which motion prevailed and the report was adopted.



Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 30, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 26, have had the same under consideration and recommend that the same be amended as follows:

Line 7—At the end of the sentence, change the period to a comma and add the following lines:

"8 for the biennium beginning July 1st, 1945 and ending 9 June 30th, 1947."

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and Senate Bill No. 26 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 26 placed on the calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 23, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Callahan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 19, have had the same under consideration and recommend that the same be amended as follows:

Line 14—Strike out the figures "\$160,000.00" and insert in lieu thereof the figures "\$164,500.00".

Line 16—After the word "building" insert the words ", sewer and water extension, furniture and equipment".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Lillehaugen moved that the rules be suspended and Senate Bill No. 19 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 19 was placed on the Calendar.

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. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom

was referred Senate Bill No. 9, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 6, have had the same under consideration and recommend that the same be amended as follows:

Line 8—Change the word “adminsitration” to read “administration”.

Line 15—Strike out the figures “\$11,000.00” and insert in lieu thereof the figures “\$10,000.00”.

Insert a new line as follows:

“15a Salary—State Highway Engineer 10,000.00”.

Line 16—Strike out the figures “189,000.00” and insert in lieu thereof the figures “180,000.00”.

Line 26—Change the word “Departemnt” to read “Department”.

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 204, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Arndt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate, Bill No. 154, have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the Bill, strike out the word “on” and insert in lieu thereof the word “and”.

In line 3 of the Bill, strike out the word “as” following the word “same” and insert in lieu thereof the word “is”.

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Hovey moved that the rules be suspended and Senate Bill No. 154 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 154 placed on the calendar.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 130, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 128, have had the same under consideration and recommend that the same be amended as follows:

In line 6 of the Bill, strike out the figures "\$30,000" and insert in lieu thereof the figures "\$20,000".

In line 9 of the Bill, strike out the figures "\$30,000" and insert in lieu thereof the figures "\$20,000".

And when so amended recommend the same do pass.

REP. McINNIS, Chairman.

Rep. Haugen moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Crockett moved that the rules be suspended and Senate Bill No. 128 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 128 placed on the calendar.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 37.

And find the same correctly Enrolled.

REP. LEET, 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:

Senate Bill No. 38.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 37.

And the Speaker signed the same in the presence of the House.

Rep. Haugland moved that Senate Bill No. 192 be re-referred to the Committee on State Affairs, which motion prevailed.

Rep. Bolmeier moved that Senate Bill No. 115 be re-referred to the Committee on State Affairs, which motion prevailed.

#### FIRST READING OF HOUSE RESOLUTION

Reps. Fitch, Halcrow, Lillehaugen and Fuglestad introduced:

House Concurrent Resolution "X." A Concurrent Resolution Authorizing and Directing the Attorney General to Investigate the Roadhouse Situation.

Was read the first time and referred to the Committee on Temperance.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Tax and Tax Laws to

whom was referred Senate Bill No. 87, have had the same under consideration and recommend that the same be amended as follows:

In line 94 of the Bill, after the words "Events" strike out the balance of the line and line 95 to and including the word "slot", and when so amended recommend the same out without recommendation due to the fact that the vote of the Committee was equally divided on the question of whether it should be recommended for passage as amended, or for indefinite postponement.

REP. McINNES, Chairman.

Rep. Haugen moved that the report be adopted.

Rep. Fitch moved that action on Senate Bill No. 87 be deferred until Monday at 2:30 o'clock p.m.

On a voice vote the Chair was in doubt.

A rising vote revealed 49 for and 56 against so the motion was lost.

Rep. Crockett moved that Senate Bill No. 87 be indefinitely postponed.

A Roll Call was demanded.

#### ROLL CALL

The question being on the motion to indefinitely postpone Senate Bill No. 87, the roll was called and there were ayes, 58; nays, 50; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Anderson	Haag	Rohrer
Bagge	Haugen	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Boucher	Hofstrand	Schmidt, Logan
Bubel	Isaak	Schmidt, Morton
Bureau	Jennings	Schnell
Bymers	Langley	Schwartz
Crockett	Larson	Seibel
Devlin	Levin	Shockman
Drovdal	Lillehaugen	Skaar
Dittmer	Lindberg	Stair
Engel	Maher	Sticka
Esterby	Moerke	Thompson, Rich'nd
Falconer	Mollet	Tuff
Forseth	Monson	Welk
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad		

Those voting in the negative were:

Allen, Grand Forks	Herk	Sandness
Allen, Pierce	Hildre	Saumur
Arndt	Hogoboom	Sellens
Benno	Hovey	Severson
Bjella	Johnson, Cass	Sharpe
Blair	Johnson, Richland	Smart
Bolmeier	Klefstad	Stanley
Brady	Leet	Still
Callahan	Luick	Stormon
Collette	Lysne	Symington

Dalzell	McInnes	Thompson, Griggs
Drawz	Moe	Wambheim
Ekren	Nystrom	Westby
Fitch	Ohnstad	Wollitz
Gainor	Olson, Barnes	Yirchott
Halcrow	Pyle	Mr. Speaker
Haugland	Sailer	

Absent and not voting:

Fleck	Halvorson	Olson, Bowman
Graham		

So the motion passed and Senate Bill No. 87 was indefinitely postponed.

Rep. Falconer: I am voting "aye" with the understanding that whenever we can work out a satisfactory tax situation that I can vote otherwise then.

Rep. Langley voted "aye" for the purpose of reconsideration.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 23, 1945

Mr. President: I have the honor to return:

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code, Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating

to Participation in the Fund by Claimant and Making the Same Retroactive.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 23, 1945

Mr. President: I have the honor to transmit:

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 23, 1945

Mr. President: I have the honor to return:

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Pay the Legislative Deficit of the 1944 Special Session, and Declaring an Emergency.

Senate Bill No. 201. A Bill for an Act Providing for the Payment of Expenses to Commissioners of the Public Service Commission, and Declaring an Emergency.

Senate Bill No. 207. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 2; absent and not voting, 13.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmidt, Logan
Belzer	Herk	Schmidt, Morton
Benno	Hildre	Schnell
Bjella	Hofstrand	Schwartz
Blair	Hogoboom	Seibel
Bolmeier	Hovey	Sellens
Boucher	Isaak	Severson
Brady	Jennings	Sharpe

Bubel	Johnson, Cass	Shockman
Burau	Langley	Skaar
Callahan	Leet	Smart
Collette	Levin	Sticka
Crockett	Lillehaugen	Still
Dalzell	Lindberg	Stormon
Devlin	Luick	Symington
Dittmer	Lysne	Thompson, Griggs
Drawz	McInnes	Thompson, Rich'nd
Drowdal	Maher	Tuff
Ekren	Moe	Wambheim
Engel	Moerke	Welk
Esterby	Mollet	Westby
Falconer	Monson	Wolf, McIntosh
Forseth	Mork	Wolf, Morton
Frank	Mortenson	Wollitz
Fraser	Ohnstad	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Gainor		

Those voting in the negative were:  
Bymers Johnson, Richland

Absent and not voting:

Fitch	Larson	Schimke
Fleck	Nystrom	Schmalenberger
Graham	Olson, Bowman	Stair
Halvorson	Sailer	Stanley
Klefstad		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 57. A Bill for an Act Defining Isonipecaine and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Was read the second time.

Rep. Benno moved that the rules be suspended and the title to Senate Bill No. 57 be amended to correct the spelling of the word "Isonipecaine", which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 6; absent and not voting, 14.

Those voting in the affirmative were:

Acheson	Grenier	Rohrer
Allen, Grand Forks	Halcrow	Sandness
Allen, Pierce	Haugen	Saumur
Anderson	Haugland	Schlafmann
Arndt	Hegge	Schmalenberger
Bagge	Herk	Schmidt, Morton
Baumgartner	Hildre	Schnell
Belzer	Hofstrand	Schwartz
Benno	Hogboom	Seibel
Bjella	Hovey	Sellens
Blair	Isaak	Severson
Bolmeier	Jennings	Sharpe
Boucher	Langley	Shockman
Bubel	Leet	Skaar
Burau	Levin	Smart
Callahan	Lillehaugen	Stanley
Collette	Lindberg	Sticka

Dalzell	Luick	Still
Dittmer	Lysne	Stormon
Drawz	McInnes	Symington
Drovdal	Maher	Thompson, Griggs
Ekren	Moe	Thompson, Richl'nd
Engel	Moerke	Tuff
Esterby	Mollet	Wambheim
Falconer	Monson	Welk
Fitch	Mork	Westby
Forseth	Mortenson	Wolf, McIntosh
Frank	Ohnstad	Wollitz
Fraser	Olson, Barnes	Yirchott
Fuglestad	Ostgulen	Mr. Speaker
Gainor	Pyle	

Those voting in the negative were:

Bymers	Haag	Schmidt, Logan
Crockett	Johnson, Richland	Wolf, Morton

Absent and not voting:

Brady	Heckman	Olson, Bowman
Devlin	Johnston, Cass	Sailer
Fleck	Klefstad	Schimke
Graham	Larson	Stair
Halvorson	Nystrom	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Haugen moved that the House recess for twenty minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen 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 Bill No. 84, which has been passed by the House of Representatives and the Senate over the Governor's veto, also a copy of the Governor's objection as well as the certificates of the presiding officers of both the House and the Senate as to the final action of the respective bodies with reference to the passage of this bill, was delivered to the Secretary of State at the hour of 1:50 o'clock p. m., February 23, 1945.

REP. LEET, Chairman.

February 22, 1945

I hereby certify that the within Act, being House Bill No. 84, together with the objections of His Excellency, Governor Fred G. Aandahl, was returned to the House, being the body in which it originated, on the 19th day of February, 1945; that the objections of the Governor were read at length and entered upon the Journal; that, thereupon, the said bill was taken up for reconsideration; the motion for reconsideration having prevailed, the question was then put "Shall this bill pass, the objections of the Governor to the contrary notwithstanding?"; the roll was called and the bill did pass,



more than two-thirds of the members voting in the affirmative.

Vote: Aye, 96; nay, 15; absent and not voting, 1.

A. R. BERGESEN, Speaker of the House.

KENNETH L. MORGAN, Chief Clerk.

February 22, 1945

I hereby certify that the within Act, being House Bill No. 84, together with the objections of His Excellency, Governor Fred G. Aandahl, was received by the Senate from the House, that being the body in which it originated, on the 20th day of February, 1945; that the objections of the bill were read at length; that, thereupon, the said bill came before the Senate for reconsideration; the motion for reconsideration having prevailed, the question was then put "Shall this bill pass, the objections of the Governor to the contrary notwithstanding?"; the roll was called and the bill did pass, more than two-thirds of the members voting in the affirmative.

Vote: Aye, 38; nay, 11; absent and not voting, 0.

C. P. DAHL, President of the Senate.

W. J. TROUT, Secretary.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 26.

Those voting in the affirmative were:

Acheson	Grenier	Rohrer
Allen, Grand Forks	Haag	Sailer
Allen, Pierce	Haugen	Sandness
Anderson	Haugland	Schlafmann
Bagge	Hegge	Schmalenberger
Baumgartner	Herk	Schmidt, Logan
Belzer	Hildre	Schmidt, Morton
Benno	Hofstrand	Schnell
Bjella	Jennings	Schwartz
Bolmeier	Johnson, Richland	Seibel
Boucher	Klefstad	Sellens
Brady	Larson	Severson
Burau	Leet	Shockman
Bymers	Levin	Skaar
Callahan	Lillehaugen	Smart
Collette	Lindberg	Stair
Crockett	Luick	Stanley
Dalzell	Lysne	Sticka
Devlin	McInnes	Still
Dittmer	Moe	Stormon
Drawz	Moerke	Thompson, Griggs
Drovdal	Mollet	Tuff
Ekren	Monson	Wambheim

Engel  
Falconer  
Frank  
Fraser  
Fuglestad  
Gainor

Mork  
Mortenson  
Nystrom  
Ohnstad  
Ostgulen  
Pyle

Welk  
Wolf, McIntosh  
Wolf, Morton  
Yirchott  
Mr. Speaker

## Absent and not voting:

Arndt  
Blair  
Bubel  
Esterby  
Fitch  
Fleck  
Forseth  
Graham  
Halcrow

Halvorson  
Heckman  
Hogoboom  
Hovey  
Isaak  
Johnson, Cass  
Langley  
Maher  
Olson, Barnes

Olson, Bowman  
Saumur  
Schimke  
Sharpe  
Symington  
Thompson, Richl'nd  
Westby  
Wollitz

So the bill passed and the title was agreed to.

Rep. Drovdal moved that the vote by which Senate Bill No. 104 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

Acheson  
Allen, Grand Forks  
Allen, Pierce  
Anderson  
Bagge  
Baumgartner  
Belzer  
Benno  
Bjella  
Bolmeier  
Boucher  
Brady  
Bubel  
Burau  
Bymers  
Callahan  
Collette  
Crockett  
Dalzell  
Devlin  
Dittmer  
Drawz  
Drovdal  
Ekren  
Engel  
Falconer  
Fitch

Haag  
Halcrow  
Haugen  
Haugland  
Heckman  
Hegge  
Herk  
Hildre  
Hogoboom  
Isaak  
Jennings  
Johnson, Cass  
Johnson, Richland  
Klefstad  
Larson  
Leet  
Levin  
Lillehaugen  
Lindberg  
Luick  
Lysne  
McInnes  
Moe  
Moerke  
Mollet  
Monson  
Mork

Ostgulen  
Pyle  
Rohrer  
Sandness  
Schlafmann  
Schmalenberger  
Schmidt, Logan  
Schmidt, Morton  
Schnell  
Schwartz  
Seibel  
Sellens  
Severson  
Shockman  
Skaar  
Smart  
Stair  
Stanley  
Sticka  
Still  
Stormon  
Thompson, Griggs  
Thompson, Richl'nd  
Tuff  
Wambheim  
Welk  
Wolf, McIntosh

Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor		

Absent and not voting:

Arndt	Halvorson	Sailer
Blair	Hofstrand	Saumur
Esterby	Hovey	Schimke
Fleck	Langley	Sharpe
Forseth	Maher	Symington
Graham	Olson, Barnes	Westby
Grenier	Olson, Bowman	Wollitz

So the bill passed as amended and the title was agreed to. Senate Bill No. 177. A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, 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, 61; nays, 32; absent and not voting, 19.

Those voting in the affirmative were:

Acheson	Falconer	Nystrom
Allen, Pierce	Fitch	Ohnstad
Anderson	Gainor	Pyle
Arndt	Grenier	Sandness
Bagge	Halcrow	Saumur
Benno	Haugland	Schlafmann
Bjella	Heckman	Schmalenberger
Bolmeier	Hegge	Schnell
Brady	Herk	Sellens
Bubel	Hildre	Sharpe
Bureau	Hogoboom	Skaar
Bymers	Johnson, Cass	Smart
Callahan	Johnson, Richland	Sticka
Collette	Klefstad	Stormon
Crockett	Larson	Thompson, Griggs
Dalzell	Leet	Wambheim
Devlin	Luick	Wolf, McIntosh
Dittmer	McInnes	Wolf, Morton
Drawz	Mork	Yirchott
Drovdal	Mortenson	Mr. Speaker
Ekren		

Those voting in the negative were:

Baumgartner	Levin	Schwartz
Belzer	Lillehaugen	Seibel
Boucher	Lindberg	Severson
Engel	Lysne	Shockman
Frank	Moe	Stair
Fraser	Moerke	Stanley
Fuglestad	Mollet	Still
Haag	Monson	Thompson, Rich'lnd
Haugen	Rohrer	Tuff
Isaak	Schmidt, Logan	Welk
Jennings	Schmidt, Morton	

Absent and not voting:

Allen, Grand Forks	Hofstrand	Ostgulen
Blair	Hovey	Sailer
Esterby	Langley	Schimke
Fleck	Maher	Symington
Forseth	Olson, Barnes	Westby
Graham	Olson, Bowman	Wollitz
Halvorson		

So the bill passed and the title was agreed to.

Rep. Saumur moved that the vote by which House Bill No. 177 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution No. 7. A Concurrent Resolution Memorializing Congress of the United States with Reference to Changes in the Social Security Acts.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 89; nays, 2; absent and not voting, 21.

Those voting in the affirmative were:

Acheson	Halcrow	Saumur
Allen, Pierce	Haugen	Schlafmann
Anderson	Haugland	Schmalenberger
Arndt	Heckman	Schmidt, Logan
Bagge	Hegge	Schmidt, Morton
Baumgartner	Herk	Schnell
Belzer	Hildre	Schwartz
Benno	Hogoboom	Seibel
Bjella	Jennings	Sellens
Bolmeier	Johnson, Cass	Severson
Boucher	Klefstad	Sharpe
Brady	Larson	Shockman
Bubel	Leet	Skaar
Bureau	Levin	Smart
Callahan	Lillehaugen	Stair
Collette	Lindberg	Stanley
Crockett	Luick	Sticka
Dalzell	Lysne	Still
Devlin	McInnes	Stormon
Dittmer	Moe	Symington
Drawz	Moerke	Thompson, Griggs
Drovdal	Mollet	Thompson, Rich'nd
Ekren	Monson	Tuff
Engel	Mork	Wambheim
Falconer	Mortenson	Welk
Fitch	Nystrom	Wolf, McIntosh
Frank	Ohnstad	Wolf, Morton
Fuglestad	Pyle	Yirchott
Gainor	Rohrer	Mr. Speaker
Haag	Sandness	

Those voting in the negative were:

Fraser  
Isaak

Absent and not voting:

Allen, Grand Forks	Grenier	Olson, Barnes
Blair	Halvorson	Olson, Bowman
Bymers	Hofstrand	Ostgulen
Esterby	Hovey	Sailer

Fleck	Johnson, Richland	Schimke
Forseth	Langley	Westby
Graham	Maher	Wollitz

So the resolution was adopted.

Senate Bill No. 182. A Bill for an Act to Amend and Re-Enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 3; absent and not voting, 18.

Those voting in the affirmative were:

Acheson	Halcrow	Rohrer
Allen, Grand Forks	Haugen	Sandness
Allen, Pierce	Haugland	Saumur
Anderson	Heckman	Schimke
Arndt	Hegge	Schlafmann
Bagge	Herk	Schmalenberger
Baumgartner	Hildre	Schmidt, Morton
Belzer	Hogoboom,	Schnell
Benno	Isaak	Schwartz
Bjella	Jennings	Seibel
Bolmeier	Johnson, Cass	Sellens
Boucher	Johnson, Richland	Severson
Brady	Klefstad	Sharpe
Bureau	Leet	Shockman
Callahan	Levin	Skaar
Collette	Lillehaugen	Smart
Crockett	Lindberg	Stair
Dalzell	Luick	Stanley
Devlin	Lysne	Sticka
Dittmer	McInnes	Still
Drawz	Maher	Stormon
Drovdal	Moe	Symington
Ekren	Moerke	Thompson, Griggs
Engel	Mollet	Tuff
Falconer	Monson	Wambheim
Fitch	Mortenson	Welk
Frank	Nystrom	Wolf, McIntosh
Fraser	Ohnstad	Wolf, Morton
Fuglestad	Ostgulen	Yirchott
Gainor	Pyle	Mr. Speaker
Haag		

Those voting in the negative were:  
Mork Schmidt, Logan

Thompson, Richl'nd

Absent and not voting:

Blair	Graham	Larson
Bubel	Grenier	Olson, Barnes
Bymers	Halvorson	Olson, Bowman
Esterby	Hofstrand	Sailer
Fleck	Hovey	Westby
Forseth	Langley	Wollitz

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 Senate Bill No. 182 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fitch moved that the courtesy of the floor be extended to Mr. James G. Thoreson, former Representative from the 38th district, which motion prevailed.

#### FIRST READING OF HOUSE RESOLUTION

Reps. Luick, Fitch and Sandness introduced:

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood, Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

Was read the first time.

Rep. Fitch moved that the rules be suspended and House Concurrent Resolution "Y" be placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE RESOLUTION

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood, Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

Was read the second time.

Rep. Fitch moved that House Concurrent Resolution "Y" be adopted, which motion prevailed and the resolution was adopted.

Rep. Fitch moved that the vote by which House Concurrent Resolution "Y" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 15; absent and not voting, 12.

Those voting in the affirmative were:

Allen, Pierce	Hildre	Sailer
Allen, Grand Forks	Hofstrand	Sandness
Anderson	Hogoboom	Saumur
Arndt	Isaak	Schimke
Bagge	Johnson, Cass	Schmalenberger
Belzer	Klefstad	Schmidt, Morton
Bjella	Langlely	Schnell
Bolmeier	Larson	Schwartz

Boucher	Leet	Seibel
Brady	Levin	Sellens
Burau	Lillehaugen	Sharpe
Bymers	Lindberg	Shockman
Callahan	Luick	Skaar
Collette	Lysne	Smart
Crockett	McInnes	Stair
Dalzell	Maher	Stanley
Devlin	Moe	Sticka
Dittmer	Moerke	Still
Drawz	Mollet	Stormon
Ekren	Monson	Symington
Falconer	Mork	Thompson, Griggs
Fitch	Mortenson	Thompson, Richl'nd
Fuglestad	Nystrom	Wambheim
Gainor	Ohnstad	Welk
Grenier	Olson, Barnes	Wolf, McIntosh
Halcrow	Ostgulen	Wolf, Morton
Haugland	Pyle	Yirchott
Heckman	Rohrer	Mr. Speaker
Herk		

Those voting in the negative were:

Acheson	Forseth	Hegge
Baumgartner	Frank	Jennings
Drovdal	Fraser	Schlafmann
Engel	Haag	Schmidt, Logan
Esterby	Haugen	Tuff

Absent and not voting:

Benno	Graham	Olson, Bowman
Blair	Halvorson	Severson
Bubel	Hovey	Westby
Fleck	Johnson, Richland	Wollitz

So the bill passed as amended and the title was agreed to.

Rep. Sailer moved that the vote by which Senate Bill No. 150 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 8; absent and not voting, 10.

Those voting in the affirmative were:

Acheson	Haugen	Pyle
Allen, Grand Forks	Haugland	Rohrer
Allen, Pierce	Heckman	Sailer
Anderson	Hegge	Sandness
Arndt	Herk	Saumur
Baumgartner	Hildre	Schimke
Belzer	Hofstrand	Schlafmann
Bjella	Hogoboom	Schmalenberger
Bolmeier	Isaak	Schmidt, Morton
Boucher	Jennings	Schnell
Brady	Johnson, Cass	Schwartz

Burau	Johnson, Richland	Seibel
Bymers	Klefstad	Sellens
Callahan	Langley	Severson
Collette	Larson	Sharpe
Crockett	Leet	Shockman
Dalzell	Levin	Skaar
Devlin	Lillehaugen	Smart
Dittmer	Lindberg	Stair
Drawz	Luick	Stanley
Drovdal	Lysne	Sticka
Ekren	McInnes	Still
Engel	Moerke	Stormon
Esterby	Mollet	Symington
Falconer	Monson	Thompson, Griggs
Forseth	Mork	Tuff
Frank	Mortenson	Wambheim
Fraser	Nystrom	Welk
Fuglestad	Ohnstad	Wolf, Morton
Gainor	Olson, Barnes	Yirchott
Grenier	Ostgulen	Mr. Speaker
Halcrow		

Those voting in the negative were:

Bagge	Maher	Thompson, Rich'nd
Fitch	Moe	Wolf, McIntosh
Haag	Schmidt, Logan	

Absent and not voting:

Benno	Graham	Olson, Bowman
Blair	Halvorson	Westby
Bubel	Hovey	Wollitz
Fleck		

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Welk moved that the vote by which Senate Bill No. 106 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended with reference to referring House Bill No. 285 to Committee; with reference to the Fiftieth Day and that the same be placed on second reading and final passage at this time, which motion prevailed.

## SECOND READING OF HOUSE BILL

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 8; absent and not voting, 13.

Those voting in the affirmative were:

Acheson	Hegge	Rohrer
Allen, Grand Forks	Herk	Sailer
Allen, Pierce	Hildre	Sandness
Anderson	Hofstrand	Saumur
Arndt	Hogoboom	Schimke
Bagge	Isaak	Schlafmann



Baumgartner	Jennings	Schmalenberger
Belzer	Johnson, Cass	Schmidt, Logan
Bjella	Johnson, Richland	Schmidt, Morton
Bolmeier	Klefstad	Schnell
Bureau	Langley	Schwartz
Bymers	Larson	Seibel
Callahan	Leet	Severson
Collette	Levin	Sharpe
Crockett	Lillehaugen	Shockman
Dalzell	Lindberg	Skaar
Devlin	Luick	Stair
Dittmer	Lysne	Stanley
Drawz	McInnes	Sticka
Ekren	Maher	Still
Engel	Moerke	Stormon
Falconer	Mollet	Symington
Fitch	Monson	Thompson, Griggs
Frank	Mork	Thompson, Rich'nd
Fraser	Mortenson	Tuff
Fuglestad	Nystrom	Wambheim
Haag	Ohnstad	Welk
Halcrow	Olson, Barnes	Wolf, McIntosh
Haugen	Ostgulen	Wolf, Morton
Haugland	Pyle	Mr. Speaker
Heckman		
Those voting in the negative were:		
Boucher	Esterby	Grenier
Brady	Forseth	Yirchott
Drovdal	Gainor	
Absent and not voting:		
Benno	Halvorson	Sellens
Blair	Hovey	Smart
Bubel	Moe	Westby
Fleck	Olson, Bowman	Wollitz
Graham		

So the bill passed and the title was agreed to.

Rep. Johnson of Cass moved that the vote by which House Bill No. 285 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Richland moved that the House recess until 1:00 o'clock p.m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

FIFTY-THIRD DAY AFTER RECESS  
AND FIFTY-FOURTH DAY

Bismarck, February 24, 1945

The House reconvened at 1:00 o'clock p.m., pursuant to recess taken, Speaker Bergesen presiding.

MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 24, 1945

Mr. President: I have the honor to return:

Senate Bill No. 57. A Bill for an Act Defining Isonipicaine and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 24, 1945

Mr. President: I have the honor to transmit:

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund.

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood, Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 24, 1945

Mr. President: I have the honor to return:

Senate Bill No. 104. A Bill for an Act Authorizing the

State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Senate Bill No. 177. A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 182. A Bill for an Act to Amend and Re-Enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

Senate Concurrent Resolution No. 7. A Concurrent Resolution Memorializing Congress of the United States with Reference to Changes in the Social Security Acts.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 30.  
House Bill No. 31.  
House Bill No. 53.  
House Bill No. 85.  
House Bill No. 107.  
House Bill No. 116.  
House Bill No. 120.  
House Bill No. 128.  
House Bill No. 137.  
House Bill No. 138.  
House Bill No. 141.  
House Bill No. 153.  
House Bill No. 156.  
House Bill No. 160.  
House Bill No. 171.  
House Bill No. 198.  
House Bill No. 280.

And find the same correctly Enrolled.

REP. LEET, 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. 30.  
House Bill No. 31.

House Bill No. 53.  
 House Bill No. 85.  
 House Bill No. 107.  
 House Bill No. 116.  
 House Bill No. 120.  
 House Bill No. 128.  
 House Bill No. 137.  
 House Bill No. 138.  
 House Bill No. 141.  
 House Bill No. 153.  
 House Bill No. 156.  
 House Bill No. 160.  
 House Bill No. 171.  
 House Bill No. 198.  
 House Bill No. 280.

And the Speaker signed the same in the presence of the House.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Temperance to whom was referred House Concurrent Resolution "X", have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Pierce, Chairman.

Rep. Ostgulen moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the rules be suspended and House Concurrent Resolution "X" placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "X." A Concurrent Resolution Authorizing and Directing the Attorney General to Investigate the Roadhouse Situation.

Was read the second time.

Rep. Wolf of McIntosh moved that House Concurrent Resolution "X" be adopted, which motion prevailed and House Concurrent Resolution "X" was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Bill No. 146, have had the same under consideration and recommend that the same be amended as follows:

In line 11 of the original bill after the word "exceed" strike out the numerals "\$4.25" and insert in lieu thereof the numerals "\$5.00". Also in line 11 after the word "and" strike out the numerals "\$5.00" and insert in lieu thereof "\$5.50".

In line 16 strike out the words "seed and".

In line 27 after the word "charges" strike out the period and add the following: "and shall make detailed annual reports of all receipts and expenditures to the Board of Administration, which shall publish the same for distribution to interested parties."

And when so amended recommend the same do pass.

REP. BYMERS, Chairman.

Rep. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Bill No. 210, have had the same under consideration and recommend that the same do pass.

REP. BYMERS, Chairman.

Rep. Moe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution No. 12, have had the same under consideration and recommend that the same do pass.

REP. BYMERS, Chairman.

Rep. Engel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Bill No. 46, have had the same under consideration and recommend that the same do pass.

REP. BYMERS, Chairman.

Rep. Anderson 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. 89, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Corporations Other Than Municipal to whom was referred Senate Bill No. 84, have had the same under consideration and recommend that the same do pass.

REP. SHARPE, Chairman.

Rep. Boucher moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Temperance to whom was referred Senate Bill No. 131, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Pierce, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 144, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Smart 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. 124, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Callahan 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. 101, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 39, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 37, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Callahan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 31, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 24, have had the same under consideration and recommend that the same be amended as follows:

Line 4—Strike out the figures "\$210,075.00" and insert in lieu thereof the figures "\$196,075.00".

Line 12—Strike out the figures "\$17,400.00" and insert in lieu thereof the figures "\$15,600.00".

Line 13—Strike out the figures "109,775.00" and insert in lieu thereof the figures "100,575.00".

Line 14—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

Line 16—Strike out the figures "8,000.00" and insert in lieu thereof the figures "6,000.00".

Line 17—Strike out the figures "4,000.00" and insert in lieu thereof the figures "3,000.00".

Line 23—Strike out the figures "\$210,075.00" and insert in lieu thereof the figures "\$196,075.00".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Smart moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 29, have had the same under consideration and recommend that the same be amended as follows:

Line 5—At the end of the sentence change the period to a comma and add the words "bonded under the provisions of Section" and add a new line as follows:

"6 11-1006, of the North Dakota Revised Code of 1943."

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and Senate Bill No. 29 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 29 was placed on the calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 12, have had the same under consideration and recommend that the same be amended as follows:

Line 4—Strike out the figures "\$22,235.00" and insert in lieu thereof the figures "\$27,635.00".

Line 9—Strike out the figures "\$2,400.00" and insert in lieu thereof the figures "\$4,800.00".

Line 11—Change the word "Prtg." to read "Printing", "Furn." to "Furniture" and strike out the figures "3,000.00" and insert in lieu thereof the figures "6,000.00".

Line 17—Strike out the figures "\$22,235.00" and insert in lieu thereof the figures "\$27,635.00".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Smart moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 8, have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures "\$208,546.09" and insert in lieu thereof the figures "\$209,746.09".

Line 9—Strike out the figures "\$4,800.00" and insert in lieu thereof the figures "\$5,400.00".

Line 10—Change the word "Ass't" to read "Assistant", and strike out the figures "4,200.00" and insert in lieu thereof the figures "4,800.00".

Line 13—Change the words "Prtg." to read "Printing", "Furn." to "Furniture".

Line 19—Change the word "Mtce." to read "Maintenance".

Line 21—Strike out the figures "\$208,546.09" and insert in lieu thereof the figures "\$209,746.09".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 85, have had the same under consideration and recommend that the same be amended as follows:

In line 34 after the word "harness," delete the rest of the line, also delete lines 35 and 36 and insert in lieu thereof the following: "vehicles, and farm machinery while temporarily on or off the premises of the insured."

Renumber lines as necessary.

And when so amended recommend the same do pass.

REP. ALLEN of Grand Forks, Chairman.

Rep. Sharpe moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Allen of Grand Forks moved that the rules be suspended and Senate Bill No. 85 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 85 was placed on the calendar.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 49, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary, to whom was referred Senate Bill No. 152, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 179, have had the same under consideration and recommend that the same be amended as follows:

In line 31 of the original bill, after the word "States," strike out "accompanying" and insert in lieu thereof the word "accompanying."

And when so amended recommend the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Sellens moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Richland moved that the rules be suspended and Senate Bill No. 179 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 179 was placed on the calendar.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 134, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Leet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 196, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Sellens 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. 129, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Leet moved that the report be adopted, which motion prevailed and the report was adopted.



Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 59, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Sellens moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary, to whom was referred Senate Bill No. 188, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Bjella 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. 178, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Leet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 51, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Nystrom 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. 95, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Leet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 65, have had the same under consideration and recommend that the same be amended as follows:

In line 11 of the printed bill after the word "by-laws" strike out the period and insert a comma and the following language: "Unless, within 30 days before any such meeting any stock holder, resident in this state, shall file written objection with the Secretary of the Corporation, in which case the meeting must be held at the office of the principal place of business of such corporation within this state."

And when so amended recommend the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Richland moved that the rules be suspended and Senate Bill No. 65 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 65 placed on the Calendar.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 202, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Symington 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. 141, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred Senate Bill No. 71, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A Bill" and insert in lieu thereof the following:

For an Act to amend and re-enact Section 30-2313 of Chapter 30-23 of the North Dakota Revised Code of 1943, fixing the compensation of Guardians of incompetent veterans and of minor children of disabled or deceased veterans, and prescribing the procedure for allowance of the same; declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF  
THE STATE OF NORTH DAKOTA:

Section 1. Amendment. That Section 30-2313 of Chapter 30-23 of the North Dakota Revised Code of 1943 be, and the same hereby is, amended and re-enacted to read as follows:

Section 30-2313. Compensation of Guardians. Proceedings for allowance.) Unless the County Court determines that special services were performed by the guardian, the compensation payable to guardians under the provisions of this chapter shall not exceed five per cent (5%) of the income of the ward during any one year. In computing the same, the corpus of an estate received from a preceding guardian shall not be included as income. Provided, however, that when the ward's estate includes personal property, securities or other investments, the County Court may allow the guardian compensation for the safekeeping and management of such property and investments, but such compensation shall not exceed two-fifths of one per cent per annum of their value. If the County Court allows the guardian the maximum amount for the safekeeping and management of personal property and investments, the court shall not allow the guardian any compensation on the income collected on the same during the accounting period. In the event that the estate of the ward includes real estate, either city property or farm land, the County Court may allow the guardian such compensation for the supervision and management of such real estate as is commensurate with the services rendered at the prevailing rate paid for such services in the locality where such property is situated. If the compensation of a guardian, as provided for in this section, amounts to less than twenty-five dollars (\$25.00) for any year, the County Court may, in its discretion, allow the guardian compensation in the amount of twenty-five dollars (\$25.00) for such year. The guardian shall petition for allowance of such compensation either by special petition or as a part of any petition for the allowance and approval of an account. Notice of such petition and of the time and place of hearing thereon shall be given to the proper office of the

Administration in the manner provided in Section 30-2311. The guardian may be allowed from the estate of his ward reasonable premiums paid by him to any corporate surety upon his bond. No bond shall be required of any guardian which qualifies as a trust company in North Dakota, under Chapter 6-05 of the North Dakota Revised Code of 1943.

Section 2. This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

**REP. SEVERSON, Chairman.**

Rep. Smart moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred Senate Bill No. 69, have had the same under consideration and recommend that the same do pass.

And further recommend that the same be re-referred to the Committee on Appropriations.

**REP. SEVERSON, Chairman.**

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred Senate Bill No. 72, have had the same under consideration and recommend that the same do pass.

And further recommend that the same be re-referred to the Committee on State Affairs.

**REP. SEVERSON, Chairman.**

Rep. Belzer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred Senate Bill No. 68, have had the same under consideration and recommend that the same do pass.

**REP. SEVERSON, Chairman.**

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred Senate Concurrent Resolution No. 14, have had the same under consideration and recommend that the same do pass.

**REP. SEVERSON, Chairman.**

Rep. Smart moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred Senate Bill No. 73, have had the same under consideration and recommend that the same do pass.

And further recommend that the same be re-referred to the Committee on Appropriations.

**REP. SEVERSON, Chairman.**

Rep. Hegge moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred Senate Bill No. 32, have had the same under consideration and recommend that the same do pass.

And further recommend that the same be re-referred to the Committee on Appropriations.

REP. SEVERSON, Chairman.

Rep. Belzer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Veterans and Military Affairs to whom was referred Senate Bill No. 176, have had the same under consideration and recommend that the same do pass.

REP. SEVERSON, Chairman.

Rep. Luick moved that the report be adopted, which motion prevailed and the report was adopted.

### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 24, 1945

Mr. President: I have the honor to transmit:

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

House Bill No. 53. A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for the Purchase Price of Chairs for Legislative Committees; and Declaring an Emergency.

House Bill No. 85. A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof; Establishing the Office of Commissioner of Veterans' Affairs; Providing the Qualifications, the Manner of Appointment, Duties and Salary of Such Officer, and Prescribing His Duties.

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

House Bill No. 128. A Bill for an Act Continuing in Force

and Effect All Standing and Continuing Appropriations Omitted from the North Dakota Revised Code of 1943; Declaring an Emergency.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 38-0314 and Section 38-0404 of the North Dakota Revised Code of 1943 and Repealing Section 38-0405 of the North Dakota Revised Code of 1943 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State.

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use of the Attorney General in Administering the Provisions of Said Act During the Biennium Ending June 30, 1947, Providing That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act.

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Exempting Hospital Associations Organized for Non-profit from Provisions of Section; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Correspondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

The House was on the Seventh Order of Business.

Rep. Crockett moved to adjourn until 2:00 o'clock Monday.

Rep. Johnson of Richland demanded a call of the House before voting on the motion of Rep. Crockett.

Rep. Crockett arose to a point of order stating that a motion for a call of the House was out of order.

The Speaker ruled a Call of the House on a motion to adjourn to a time certain was in order.

Rep. Fitch moved to amend the motion of Rep. Crockett to further provide for a Call of the House.

The Speaker ruled the amendment out of order.

The question was on the demand by Rep. Johnson of Richland for a Call of the House.

A sufficient number having demanded a Call of the House, a Call of the House was granted.

The Sergeant-at-Arms was instructed to close the doors and the roll was called.

All members were present except Reps. Hovey, Halvorson, Graham and Olson of Bowman.

Rep. Johnson of Richland moved that the Call of the House be dispensed with, which motion prevailed.

The motion before the House was the motion of Rep. Crockett that the House do now adjourn to 2:00 o'clock Monday.

The Speaker called Rep. Blair to the Chair.

The Speaker took the floor against the motion of Rep. Crockett.

The question was on the motion of Rep. Crockett.

The Speaker resumed the Chair.

Rep. Johnson of Richland demanded a Roll Call.

#### ROLL CALL

The question being on the motion of Rep. Crockett, the roll was called and there were ayes, 52; nays, 56; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Haugen	Rohrer
Anderson	Heckman	Schimke
Baumgartner	Hegge	Schlafmann
Belzer	Hofstrand	Schmalenberger
Boucher	Isaak	Schmidt, Logan
Bubel	Jennings	Schmidt, Morton
Bureau	Larson	Schnell
Crockett	Levin	Schwartz
Dittmer	Lillehaugen	Seibel
Drovdal	Lindberg	Shockman
Engel	Maher	Stair
Esterby	Moerke	Sticka
Falconer	Mollet	Thompson, Richl'nd
Forseth	Monson	Tuff
Frank	Mork	Welk
Fraser	Mortenson	Wolf, McIntosh
Grenier	Ostgulen	Wolf, Morton
Haag		

Those voting in the negative were:

Allen, Grand Forks	Gainor	Sailer
Allen, Pierce	Halcrow	Sandness
Arndt	Haugland	Saumur
Bagge	Herk	Sellens
Benno	Hildre	Severson
Bjella	Hogoboom	Sharpe
Blair	Johnson, Cass	Skaar
Bolmeier	Johnson, Richland	Smart
Brady	Klefstad	Stanley
Bymers	Langley	Still
Callahan	Leet	Stormon
Collette	Luick	Symington
Dalzell	Lysne	Thompson, Griggs
Devlin	McInnes	Wambheim
Drawz	Moe	Westby
Ekren	Nystrom	Wollitz
Fitch	Ohnstad	Yirchott
Fleck	Olson, Barnes	Mr. Speaker
Fuglestad	Pyle	
Absent and not voting:		
Graham	Hovey	Olson, Bowman
Halvorson		

So the motion was lost.

Rep. Crockett moved that the absent members be excused, which motion prevailed.

Rep. Blair, Chairman of the Committee on Employment, reported that Bette Teslovick and Gertrude Wertz have resigned and moved that their names be expunged from the payroll, which motion prevailed.

Rep. Langley moved that the vote by which Senate Bill No. 87 was indefinitely postponed be reconsidered, which motion was lost.

A division was called for and which revealed 53 for and 50 against so the motion prevailed and Senate Bill No. 87 was before the House.

Rep. Fitch moved that further consideration of Senate Bill No. 87 be deferred until 3:00 o'clock Monday, which motion prevailed.

Rep. Bolmeier moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

#### FIFTY-FOURTH DAY

Bismarck, February 24, 1945

The House convened at 2:00 o'clock p.m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. Laten E. Teare.

Roll call: All members present except Reps. Olson of Bowman, Graham, Halvorson and Hovey.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-Second Day After Recess and Fifty-Third Day and recommends that the same be corrected as follows:

In line 20 from the bottom of page 793, change the word "Fifteenth" to the word "Fiftieth".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Sailer moved that the Speaker appoint a committee to notify the Senate that the House is now ready to receive the Senate in Joint Assembly, which motion prevailed.

The Speaker appointed Reps. Sailer, Thompson of Richland and Tuff.

Rep. Fitch moved that action on Senate Bill No. 44 be deferred until Monday after two o'clock, which motion prevailed.

Rep. Sailer reported that the Committee appointed to notify the Senate had so notified the Senate and asked that the committee be discharged.

The report was received and the committee discharged.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 24, 1945

Mr. President: I have the honor to return:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 24, 1945.

Mr. President: I have the honor to transmit:

House Concurrent Resolution "X." A Concurrent Resolution Authorizing and Directing the Attorney General to Investigate the Roadhouse Situation.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

Rep. Bymers moved that the House do now recess for the purpose of receiving the Senate in Joint Assembly and to reconvene after the Joint Assembly has dissolved, which motion prevailed and the House stood recessed.

The Joint Assembly was called to order by Lt. Governor Dahl.

Senator Foss moved that a committee of two be appointed to escort the Honorable Fred G. Aandahl, Governor of the State of North Dakota to the rostrum, which motion prevailed.

Lt. Governor Dahl appointed Senator Foss and Rep. Hofstrand.

Governor Aandahl was escorted to the rostrum.

The following Message From the Governor was handed to the members of the Joint Assembly for reference.



## MESSAGE FROM THE GOVERNOR

February 23, 1945

Members Twenty-ninth Legislative Assembly  
State Capitol  
Bismarck, North Dakota

Gentlemen:

Attached is a General Fund and Equalization Fund Budget Summary showing its condition at the end of the 50th Legislative Day. I have hastily prepared it and it may have some minor errors, but otherwise it is substantially correct.

Near the top of the second column you will find \$15,662,354 as the amount appropriated from the General Fund. Items (B), (C) and (D) are not normal operating expenses and have been moved to the bottom of the sheet and charged against our accumulating General Fund balance. That leaves a total of \$12,038,784 appropriated for the normal operating expenses of the State. This is about \$2,000,000 above our General Fund estimated income and about \$3,000,000 above similar appropriations two years ago.

In the second block are the welfare appropriations of \$5,016,120 which are \$1,682,790. Item (A), in excess of 5/12 of the estimated sales tax revenue. This excess must come from the General Fund and is transferred by Item (A). The excess equalization appropriation, Item (E) can satisfactorily come from the present Equalization Fund balance.

I wish to encourage the following Legislative procedure:

1. Reduce the \$12,038,748 General Fund appropriation so that they come nearer to the estimated income of \$10,200,000. Do this without injury to our established institutions. The fact that our appropriations for normal operating expense are \$3,000,000 above those of two years ago should leave room for some reduction without injury. To adjust the Building Program or the Veterans Reserve Fund will not be helpful because they are not normal operating expenses.
2. Approve an increased mill levy for the schools and also for the County Tuition Fund.
3. The re-enactment of the sales tax. The budget indicates that our Welfare Program is predominantly dependent upon this revenue and our Equalization Fund entirely so. Should this source of revenue disappear the financial structure of our state will be wrecked. The sales tax is 4/9, nearly one-half, of the revenue indicated in this Summary. It would be most unfortunate to let two years of prosperity pass in North Dakota without this source of revenue and then find the balance in all of our funds depleted and the state cramped and struggling in every task it has to perform.

The Legislature must make its decisions upon these questions in the short time that now remains. There will be no Special Session to adjust our tax structure. It shall be my purpose to work from the Governor's Office in an administrative and executive capacity to the best of my ability with what you have provided for the state at the end of the 60th Legislative Day.

Respectfully,

FRED G. AANDAHL  
Governor of North Dakota



Lt. Governor Dahl: It is my privilege at this time to introduce to this Joint Assembly again the Governor of North Dakota who has a message for us this afternoon. Governor Aandahl.

Mr. President, Members of the Twenty-Ninth Legislative Assembly, Ladies and Gentlemen: It is unusual for the Governor to appear in person to deliver such a humble message as I bring to you this afternoon. This material was assembled as quickly as possible after the end of the 50th legislative day. It had been my intention to have this message informally placed upon your desks this morning.

Several things have happened, as a result of which some members of the legislature suggested and asked that I present this message in person. This is a critical moment in the progress of the Twenty-Ninth Legislative Assembly. It is extra-ordinary that I should present this message extemporaneously without a written manuscript. I hope that you will appreciate my frankness and my informality in this type of a presentation. I think it is well that we all be informed upon the condition of our budget at the end of the 50th legislative day and I am going to ask you folks to turn to the second page of the message that has now been placed upon your desks.

In the first column, you will find the estimated income and balance for the biennial period 1945-1946. The first item is the estimated income in the General Fund of \$10,200,000. Farther down you find the estimated Sales Tax Income of \$8,000,000. The next item is the Equalization Fund of \$3,000,000—and the final item is the balance in the General Fund of \$8,000,000. Those are estimated figures and, of course, might be subject to allowable later changes up or down of several hundred thousand dollars, but they are substantially correct and form a good working basis for our thinking.

In the second column you will find the 1945-1946 General Fund appropriation and the items that you see at the head of the column are: First, House Bills in the amount of \$6,832,653. Those are the House Bills that were approved and sent over to the Senate by the 50th day. The next item is the Senate Bills in the amount of \$7,046,911., which are the Senate Bills that were approved and sent over to the House by the end of the 50th day. For the next item, I am going to ask you to drop down to the second block and you will find the Welfare appropriation—Old Age Assistance, \$3,400,000.; the Aid to Dependent Children, \$1,266,120., and the General Welfare Appropriation of \$350,000. Those items total \$5,016,120. Then you will see that the next item is designated as 5/12 of the Sales Tax—that is, 5/12 of the estimated income in the first column of \$8,000,000 and that 5/12 equals \$3,333,330 which leaves an appropriation for Welfare purposes in North Dakota of \$1,682,790. in excess of the 5/12 estimated Sales Tax income. The excess appropriation must be taken from the General Fund. Therefore Item A is moved up to the top of the page and appears with the Senate and House Bills making a total appropriation from the General Fund of \$15,662,354. I want you to note in the 3rd column that similar appropriations for the previous biennial period were \$10,265,831. The \$15,662,354 is made

up in part of appropriations that cannot be classified as normal operating expense. They, Items B, C, and D—the Institutional Building Program, the Veterans Rehabilitation Reserve Fund, and the appropriation for the repaying to the Hail Insurance Department, have been subtracted and those items B, C and D have been transferred to the bottom of the page and listed there as items of appropriations that can rightfully come out of the present unused balance of the General Fund.

Going back to the first block we have a net appropriation for normal operating expense of \$12,038,784. and that we should rightfully expect, if we were going to operate on a good sound business basis, to be paid out of the visible income of the General Fund of \$10,200,000. This \$12,000,000 appropriation is approximately \$3,000,000 in excess of the \$9,000,000 that was appropriated for similar purposes two years ago. Now, then, when you take time to read my remarks on the first page, you will find that it is my suggestion that in the closing days of the session reasonable effort be made to adjust the \$12,000,000 appropriations downward towards the anticipated income of \$10,200,000. Inasmuch as these appropriations are \$3,000,000 in excess of what was appropriated for similar purposes two years ago, there is some indication that a little retrenchment can be made here without causing injury to any of our well-established departments of state or institutions within the State. It is my suggestion at this time that we want to move carefully in the matter of reducing these appropriations. I am inclined to think that in one or two instances reductions have been made in the first stages that probably should not have been made and it may be necessary to go upward. Those are details on which I am not in a position to pass judgment. It is my suggestion and my request that the appropriation committees with this basic information at hand do what they can do to give a wise answer to the problem we have to deal with.

The other item that I wish to call attention to is found in the second block of the outline and which constitutes the appropriation out of the Equalization Fund of \$5,146,000. Right below that you find the expression 7/12 of the Sales Tax and 7/12 of the anticipated \$8,000,000 income is \$4,666,666. which when subtracted means that the appropriations are \$479,334. in excess of the anticipated Sales Tax income for the period. You will also notice on the first page of my remarks that I give expression to the fact that that is an item that can be satisfactorily charged to the present balance in the Equalization Fund and accordingly Item E has been moved down to the next block and charged against the \$3,000,000 balance in that Fund. I think in this period when our schools are operating under difficulty that we can wisely use a small portion amounting to about 1/6 of this balance, to bolster the financial structure of our schools and I give the move that has been made with reference to the Equalization Fund my hearty endorsement.

That is the brief explanation that I wish to give of the budget condition at the end of the 50th legislative day. There is one thing that is very pertinent to the discussion

at this time revealed in this statement and that is the fact that our welfare appropriations and our equalization fund appropriations are primarily dependent upon the Sales Tax Revenue.

Nearly ten years ago now, the Sales Tax went into operation in North Dakota. It was presented to the people at that time and was accepted by the people at that time as an emergency measure. But, no sooner had that money become available until it was rightfully put to a new purpose as far as state aid expenditures of tax money was concerned. The relief load, the welfare load that had previously been carried by the counties and the townships was in a large measure transferred to the State and out of it grew the Public Welfare Department. Our common schools, which at that time were struggling—many on the verge of closing, were made the recipients of a new type of revenue coming from the entire State of North Dakota as a taxing base. Out of that has grown the almost marvelous equalization law that we have in North Dakota at this time. An equalization law, the purpose of which, is to automatically and mathematically back up our school districts that are operating at a financial disadvantage and give them financial assistance. So this type of tax revenue that was originally approved by the people as an emergency measure has grown into a well-established and unquestionably needed basis of revenue for departments of our government that are fundamentally essential to the welfare of the people of North Dakota.

It is because of the fact that the re-enactment of the Sales Tax is now in question that I term this a critical moment in the progress of the Twenty-Ninth Legislative Assembly. It is because of that fact that I am extremely happy to be privileged to appear before this Joint Assembly this afternoon and offer this humble analysis of budgetary and financial problems with which the State of North Dakota is faced.

I am not going to attempt to make any suggestions as to how the answer to this problem should be arrived at. I only wish to present the problem to you and to ask that you give it your most serious and careful consideration. We have now reached a point in the progress of this legislative assembly where it is nearly within reach of the members of the House and Senate to wind up their work with marked accomplishment. The people of North Dakota are looking at us and expecting us to do that. I am sure that when the final answer is written, we will have a wise answer to that problem.

In closing I am going to read the final paragraph of the message that I had expected would informally come to the desks this morning. "The Legislature must make its decisions upon these questions in the short time that now remains. There will be no Special Session to adjust our tax structure. It shall be my purpose to work from the Governor's Office in an administrative and executive capacity to the best of my ability with what you have provided for the state at the end of the 60th Legislative Day."

Rep. Sandness moved that the Joint Assembly be dissolved, which motion prevailed.

The House reconvened, Speaker Bergesen presiding.

Rep. Bolmeier moved that the message of the Governor

before the Joint Assembly be printed in the Journal, which motion prevailed.

Rep. Johnson of Richland moved that Senate Bills Nos. 55 and 56 be placed at the foot of the calendar, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 13; absent and not voting, 19.

Those voting in the affirmative were:

Acheson	Haag	Sailer
Allen, Grand Forks	Halcrow	Sandness
Allen, Pierce	Haugland	Saumur
Arndt	Heckman	Schlafmann
Belzer	Herk	Schmalenberger
Benno	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Johnson, Cass	Seibel
Bubel	Johnson, Richland	Sellens
Bureau	Larson	Severson
Bymers	Leet	Sharpe
Callahan	Levin	Skaar
Collette	Lillehaugen	Smart
Dalzell	Lindberg	Stair
Devlin	Luick	Sticka
Dittmer	Lysne	Still
Drawz	Maher	Symington
Drovdal	Moe	Thompson, Griggs
Ekren	Moerke	Wambheim
Engel	Mollet	Welk
Falconer	Monson	Westby
Forseth	Mork	Wolf, Morton
Frank	Nystrom	Wollitz
Fraser	Olson, Barnes	Yirchott
Fuglestad	Ostgulen	Mr. Speaker
Gainor	Rohrer	

Those voting in the negative were:

Anderson	Fleck	Stormon
Baumgartner	Grenier	Thompson, Rich'nd
Boucher	Isaak	Tuff
Crockett	Schwartz	Wolf, McIntosh
Esterby		

Absent and not voting:

Bagge	Hovey	Ohnstad
Brady	Jennings	Olson, Bowman
Fitch	Klefstad	Pyle
Graham	Langley	Schimke
Halvorson	McInnes	Shockman
Haugen	Mortenson	Stanley
Hegge		

So the bill passed as amended and the title was agreed to.

Rep. Dalzell moved that the vote by which Senate Bill No. 48 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Acheson	Fuglestad	Rohrer
Allen, Grand Forks	Gainor	Sailer
Allen, Pierce	Grenier	Sandness
Anderson	Haag	Saumur
Arndt	Halcrow	Schlafmann
Baumgartner	Haugland	Schmalenberger
Belzer	Heckman	Schmidt, Logan
Benno	Herk	Schmidt, Morton
Bjella	Hildre	Schnell
Blair	Hofstrand	Schwartz
Bolmeier	Hogoboom	Seibel
Bubel	Isaak	Sellens
Boucher	Johnson, Richland	Severson
Bureau	Klefstad	Sharpe
Bymers	Langley	Skaar
Callahan	Leet	Smart
Collette	Levin	Sticka
Crockett	Lillehaugen	Still
Dalzell	Lindberg	Stormon
Devlin	Luick	Symington
Dittmer	Lysne	Thompson, Griggs
Drawz	Maher	Thompson, Richl'nd
Drovdal	Moe	Tuff
Ekren	Moerke	Wambheim
Engel	Mollet	Welk
Esterby	Monson	Westby
Falconer	Mork	Wolf, McIntosh
Fleck	Nystrom	Wolf, Morton
Forseth	Ohnstad	Wollitz
Frank	Olson, Barnes	Yirchott
Fraser	Ostgulen	Mr. Speaker
Absent and not voting:		
Bagge	Hovey	Olson, Bowman
Brady	Jennings	Pyle
Fitch	Johnson, Cass	Schimke
Graham	Larson	Shockman
Halvorson	McInnes	Stair
Haugen	Mortenson	Stanley
Hegge		

So the bill passed as amended and the title was agreed to.

Rep. Sailer moved that the vote by which Senate Bill No. 122 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 81; nays, 7; absent and not voting, 24.

Those voting in the affirmative were:

Acheson	Fuglestad	Olson, Barnes
Allen, Grand Forks	Gainor	Ostgulen
Allen, Pierce	Grenier	Rohrer
Anderson	Halcrow	Sandness
Baumgartner	Haugland	Saumur
Belzer	Heckman	Schlafmann
Benno	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Logan
Blair	Hofstrand	Schmidt, Morton
Bolmeier	Hogboom	Schnell
Boucher	Isaak	Schwartz
Burau	Johnson, Richland	Seibel
Bymers	Langley	Sellens
Callahan	Leet	Severson
Collette	Levin	Sharpe
Crockett	Lillehaugen	Skaar
Dalzell	Lindberg	Still
Devlin	Luick	Stormon
Dittmer	Lysne	Symington
Drawz	Maher	Thompson, Griggs
Drovdal	Moe	Tuff
Engel	Moerke	Wambheim
Esterby	Mollet	Westby
Falconer	Monson	Wolf, McIntosh
Fleck	Mork	Wolf, Morton
Frank	Nystrom	Yirchott
Fraser	Ohnstad	Mr. Speaker

Those voting in the negative were:

Bubel	Sticka	Welk
Haag	Thompson, Richl'nd	Wollitz
Stanley		

Absent and not voting:

Arndt	Haugen	Mortenson
Bagge	Hegge	Olson, Bowman
Brady	Hovey	Pyle
Ekren	Jennings	Sailer
Fitch	Johnson, Cass	Schimke
Forseth	Klefstad	Shockman
Graham	Larson	Smart
Halvorson	McInnes	Stair

So the bill passed and the title was agreed to.

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the



roll was called and there were ayes, 90; nays, 1; absent and not voting, 21.

Those voting in the affirmative were:

Acheson	Gainor	Sandness
Allen, Grand Forks	Grenier	Saumur
Allen, Pierce	Haag	Schlafmann
Anderson	Halcrow	Schmalenberger
Bagge	Haugland	Schmidt, Logan
Baumgartner	Heckman	Schmidt, Morton
Belzer	Herk	Schnell
Benno	Hildre	Schwartz
Bjella	Hofstrand	Seibel
Blair	Hogoboom	Sellens
Bolmeier	Isaak	Severson
Boucher	Klefstad	Sharpe
Bubel	Langley	Skaar
Bureau	Leet	Smart
Bymers	Levin	Stanley
Callahan	Lillehaugen	Sticka
Collette	Lindberg	Still
Dalzell	Luick	Stormon
Devlin	Lysne	Symington
Dittmer	McInnes	Thompson, Griggs
Drovdal	Maher	Thompson, Richl'nd
Drawz	Moerke	Tuff
Engel	Mollet	Wambheim
Esterby	Monson	Welk
Falconer	Mork	Westby
Fleck	Nystrom	Wolf, McIntosh
Forseth	Ohnstad	Wolf, Morton
Frank	Olson, Barnes	Wollitz
Fraser	Ostgulen	Yirchott
Fuglestad	Rohrer	Mr. Speaker

Those voting in the negative were:

Moe

Absent and not voting:

Arndt	Haugen	Mortenson
Brady	Hegge	Olson, Bowman
Crockett	Hovey	Pyle
Ekren	Jennings	Sailer
Fitch	Johnson, Cass	Schimke
Graham	Johnson, Richland	Shockman
Halvorson	Larson	Stair

So the bill passed and the title was agreed to.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 2; absent and not voting, 24.

## Those voting in the affirmative were:

Acheson	Grenier	Rohrer
Allen, Grand Forks	Haag	Saumur
Allen, Pierce	Halcrow	Schlafmann
Anderson	Haugland	Schmalenberger
Bagge	Heckman	Schmidt, Logan
Baumgartner	Herk	Schmidt, Morton
Belzer	Hildre	Schwartz
Benno	Hofstrand	Seibel
Bjella	Hogboom	Sellens
Blair	Isaak	Severson
Bolmeier	Johnson, Cass	Sharpe
Bubel	Klefstad	Skaar
Burau	Langley	Smart
Bymers	Leet	Sticka
Callahan	Levin	Stanley
Collette	Lillehaugen	Still
Dalzell	Lindberg	Stormon
Devlin	Luick	Symington
Dittmer	Lysne	Thompson, Griggs
Drawz	McInnes	Tuff
Drovdal	Maher	Wambheim
Engel	Moe	Welk
Esterby	Moerke	Westby
Falconer	Mollet	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Frank	Mork	Wollitz
Fraser	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor	Ostgulen	

## Those voting in the negative were:

Boucher	Thompson, Rich'nd
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## Absent and not voting:

Arndt	Haugen	Olson, Bowman
Brady	Hegge	Pyle
Crockett	Hovey	Sailer
Ekren	Jennings	Sandness
Fitch	Johnson, Richland	Schimke
Fleck	Larson	Schnell
Graham	Mortenson	Shockman
Halvorson	Olson, Barnes	Stair

So the bill passed as amended and the title was agreed to.

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 3; absent and not voting, 22.

## Those voting in the affirmative were:

Acheson	Fuglestad	Saumur
Allen, Grand Forks	Gainor	Schlafmann
Allen, Pierce	Grenier	Schmalenberger
Anderson	Haag	Schmidt, Logan
Bagge	Halcrow	Schmidt, Morton
Baumgartner	Haugland	Schnell

Belzer	Heckman	Schwartz
Benno	Herk	Seibel
Bjella	Hildre	Sellens
Blair	Hofstrand	Severson
Bolmeier	Hogoboom	Sharpe
Boucher	Isaak	Skaar
Bubel	Johnson, Cass	Smart
Burau	Klefstad	Stanley
Bymers	Langley	Sticka
Callahan	Leet	Still
Collette	Levin	Stormon
Dalzell	Lillehaugen	Symington
Devlin	Lindberg	Thompson, Griggs
Dittmer	Luick	Thompson, Rich'nd
Drawz	Lysne	Tuff
Drovdal	McInnes.	Wambheim
Engel	Maher	Welk
Esterby	Moerke	Westby
Falconer	Monson	Wolf, McIntosh
Fitch	Mork	Wolf, Morton
Forseth	Nystrom	Wollitz
Frank	Ohnstad	Yirchott
Fraser	Rohrer	Mr. Speaker
Those voting in the negative were:		
Moe	Mollet	Ostgulen

## Absent and not voting:

Arndt	Hegge	Olson, Bowman
Brady	Hovey	Pyle
Crockett	Jennings	Sailer
Ekren	Johnson, Richland	Sandness
Fleck	Larson	Schimke
Graham	Mortenson	Shockman
Halvorson	Olson, Barnes	Stair
Haugen		

So the bill passed as amended and the title was agreed to.

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Chapter 36-02 of the North Dakota Revised Code of 1943.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 1; absent and not voting, 24.

## Those voting in the affirmative were:

Acheson	Gainor	Rohrer
Allen, Grand Forks	Grenier	Schlafmann
Allen, Pierce	Haag	Schmalenberger
Anderson	Halcrow	Schmidt, Logan
Bagge	Haugland	Schmidt, Morton
Baumgartner	Heckman	Schnell
Belzer	Herk	Schwartz
Benno	Hildre	Seibel
Bjella	Hofstrand	Sellens
Blair	Hogoboom	Severson
Bolmeier	Isaak	Sharpe

Boucher	Johnson, Cass	Skaar
Bubel	Klefstad	Smart
Burau	Langley	Stanley
Bymers	Leet	Sticka
Callahan	Levin	Still
Collette	Lillehaugen	Stormon
Dalzell	Lindberg	Symington
Devlin	Luick	Thompson, Griggs
Dittmer	Lysne	Thompson, Rich'nd
Drawz	McInnes	Tuff
Drovdal	Moerke	Wambheim
Engel	Mollet	Welk
Esterby	Monson	Westby
Falconer	Mork	Wolf, McIntosh
Forseth	Nystrom	Wolf, Morton
Frank	Ohnstad	Wollitz
Fraser	Olson, Barnes	Yirchott
Fuglestad	Ostgulen	Mr. Speaker

Those voting in the negative were:

Moe

Absent and not voting:

Arndt	Haugen	Olson, Bowman
Brady	Hegge	Pyle
Crockett	Hovey	Sailer
Ekren	Jennings	Sandness
Fitch	Johnson, Richland	Saumur
Fleck	Larson	Schimke
Graham	Maher	Shockman
Halvorson	Mortenson	Stair

So the bill passed as amended and the title was agreed to.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 2; absent and not voting, 26.

Those voting in the affirmative were:

Acheson	Fuglestad	Ostgulen
Allen, Grand Forks	Gainor	Rohrer
Allen, Pierce	Grenier	Sailer
Anderson	Halcrow	Schlafmann
Bagge	Haugland	Schmalenberger
Baumgartner	Herk	Schmidt, Morton
Belzer	Hildre	Schwartz
Benno	Hofstrand	Seibel
Bjella	Hogoboom	Sellens
Blair	Isaak	Severson
Bolmeier	Johnson, Cass	Sharpe
Boucher	Klefstad	Skaar
Bubel	Langley	Smart
Burau	Leet	Stanley
Bymers	Levin	Sticka
Callahan	Lillehaugen	Still
Collette	Lindberg	Stormon
Crockett	Luick	Symington

Dalzell	Lysne	Thompson, Griggs
Devlin	McInnes	Thompson, Richl'nd
Dittmer	Moe	Tuff
Drawz	Moerke	Wambheim
Drovdal	Mollet	Westby
Engel	Monson	Wolf, McIntosh
Esterby	Mork	Wolf, Morton
Falconer	Nystrom	Wollitz
Forseth	Ohnstad	Yirchott
Frank	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Haag	Schmidt, Logan
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Absent and not voting:

Arndt	Heckman	Pyle
Brady	Hegge	Sandness
Ekren	Hovey	Saumur
Fitch	Jennings	Schimke
Fleck	Johnson, Richland	Schnell
Fraser	Larson	Shockman
Graham	Maher	Stair
Halvorson	Mortenson	Welk
Haugen	Olson, Bowman	

So the bill as amended passed and the title was agreed to.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 10; absent and not voting, 25.

Those voting in the affirmative were:

Acheson	Fraser	Ohnstad
Allen, Grand Forks	Fuglestad	Olson, Barnes
Allen, Pierce	Gainor	Ostgulen
Anderson	Grenier	Rohrer
Bagge	Haag	Sailer
Belzer	Halcrow	Schlafmann
Benno	Haugland	Schmalenberger
Bjella	Herk	Schmidt, Logan
Blair	Hildre	Schmidt, Morton
Bolmeier	Hofstrand	Schwartz
Boucher	Hogoboom	Schnell
Bubel	Isaak	Seibel
Bureau	Jennings	Sellens
Bymers	Klefstad	Sharpe
Callahan	Langley	Skaar
Collette	Leet	Smart
Crockett	Levin	Stanley
Dalzell	Lindberg	Sticka
Devlin	Luick	Still
Dittmer	McInnes	Thompson, Griggs
Drawz	Maher	Tuff
Drovdal	Moerke	Welk
Engel	Mollet	Wollitz
Esterby	Monson	Yirchott

Falconer	Mork	Mr. Speaker
Frank	Nystrom	
Those voting in the negative were:		
Baumgartner	Stormon	Westby
Johnson, Cass	Symington	Wolf, McIntosh
Lysne	Wambheim	Wolf, Morton
Moe		
Absent and not voting:		
Arndt	Heckman	Pyle
Brady	Hegge	Sandness
Ekren	Hovey	Saumur
Fitch	Johnson, Richland	Schimke
Fleck	Larson	Severson
Forseth	Lillehaugen	Shockman
Graham	Mortenson	Stair
Halvorson	Olson, Bowman	Thompson, Richl'nd
Haugen		

So the bill passed as amended and the title was agreed to.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 26.

Those voting in the affirmative were:

Acheson	Grenier	Rohrer
Allen, Grand Forks	Haag	Sailer
Allen, Pierce	Halcrow	Schlafmann
Anderson	Haugland	Schmalenberger
Bagge	Heckman	Schmidt, Logan
Baumgartner	Herk	Schmidt, Morton
Belzer	Hildre	Schnell
Benno	Hofstrand	Schwartz
Bjella	Hogoboom	Seibel
Blair	Isaak	Sellens
Bolmeier	Johnson, Cass	Sharpe
Boucher	Klefstad	Skaar
Bubel	Langley	Smart
Bureau	Leet	Stanley
Bymers	Levin	Sticka
Callahan	Lindberg	Still
Dalzell	Luick	Stormon
Devlin	Lysne	Symington
Dittmer	McInnes	Thompson, Griggs
Drawz	Maher	Tuff
Drovdal	Moe	Wambheim
Engel	Moerke	Welk
Esterby	Mollet	Westby
Falconer	Monson	Wolf, McIntosh
Forseth	Mork	Wolf, Morton
Frank	Nystrom	Wollitz
Fraser	Ohnstad	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Gainor	Ostgulen	

## Absent and not voting:

Arndt	Haugen	Pyle
Brady	Hegge	Sandness
Collette	Hovey	Saumur
Crockett	Jennings	Schimke
Ekren	Johnson, Richland	Severson
Fitch	Larson	Shockman
Fleck	Lillehaugen	Stair
Graham	Mortenson	Thompson, Richl'nd
Halvorson	Olson, Bowman	

So the bill passed and the title was agreed to.

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 80; nays, 2; absent and not voting, 30.

## Those voting in the affirmative were:

Acheson	Halcrow	Rohrer
Allen, Grand Forks	Haugland	Saumur
Allen, Pierce	Heckman	Schlafmann
Anderson	Hildre	Schmalenberger
Bagge	Hofstrand	Schmidt, Logan
Baumgartner	Hogoboom	Schmidt, Morton
Belzer	Isaak	Schnell
Benno	Johnson, Richland	Schwartz
Bjella	Klefstad	Seibel
Blair	Langley	Sellens
Bolmeier	Leet	Sharpe
Boucher	Levin	Skaar
Bubel	Lillehaugen	Smart
Bymers	Lindberg	Stanley
Callahan	Lysne	Sticka
Devlin	Luick	Still
Dittmer	McInnes	Stormon
Drawz	Maher	Thompson, Griggs
Drovdal	Moe	Tuff
Engel	Moerke	Wambheim
Falconer	Mollet	Welk
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Ostgulen	Mr. Speaker
Haag	Sailer	

## Those voting in the negative were:

Dalzell                      Symington

## Absent and not voting:

Arndt	Grenier	Olson, Barnes
Brady	Halvorson	Olson, Bowman
Burau	Haugen	Pyle
Collette	Hegge	Sandness
Crockett	Herk	Schimke
Ekren	Hovey	Severson

Esterby	Jennings	Shockman
Fitch	Johnson, Cass	Stair
Fleck	Larson	Thompson, Richl'nd
Graham	Mortenson	Westby

So the bill passed and the title was agreed to.

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 1; absent and not voting, 27.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Haugland	Sailer
Anderson	Heckman	Saumur
Bagge	Herk	Schlafmann
Baumgartner	Hildre	Schmalenberger
Belzer	Hofstrand	Schmidt, Logan
Benno	Hogoboom	Schmidt, Morton
Bjella	Isaak	Schnell
Blair	Johnson, Richland	Schwartz
Bolmeier	Klefstad	Seibel
Bubel	Langley	Sellens
Burau	Leet	Sharpe
Bymers	Levin	Skaar
Callahan	Lillehaugen	Smart
Dalzell	Lindberg	Stanley
Devlin	Luick	Sticka
Dittmer	Lysne	Still
Drawz	McInnes	Stormon
Drovdal	Maher	Symington
Engel	Moe	Thompson, Griggs
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Frank	Monson	Welk
Fraser	Mork	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gainor	Ohnstad	Wollitz
Grenier	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Boucher

Absent and not voting:

Arndt	Halvorson	Pyle
Brady	Haugen	Sandness
Collette	Hegge	Schimke
Crockett	Hovey	Severson
Ekren	Jennings	Shockman
Fitch	Johnson, Cass	Stair
Fleck	Larson	Thompson, Richl'nd
Forseth	Mortenson	Westby
Graham	Olson, Bowman	Yirchott

So the bill as amended passed and the title was agreed to.

Senate Bill No. 130. A Bill for an Act to Amend and Re-



enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax; 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, 62; nays, 17; absent and not voting, 33.

Those voting in the affirmative were:

Acheson	Halcrow	Ostgulen
Allen, Pierce	Haugland	Rohrer
Bagge	Heckman	Sailer
Bjella	Hildre	Saumur
Blair	Hofstrand	Schlafmann
Bolmeier	Hogoboom	Schmidt, Morton
Boucher	Johnson, Richland	Schwartz
Bubel	Klefstad	Seibel
Bureau	Langley	Sellens
Bymers	Leet	Sharpe
Callahan	Lillehaugen	Skaar
Dalzell	Luick	Stanley
Devlin	Lysne	Still
Dittmer	McInnes	Stormon
Drawz	Maher	Symington
Engel	Moe	Thompson, Griggs
Falconer	Moerke	Tuff
Frank	Mollet	Wambheim
Fuglestad	Mork	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Grenier	Ohnstad	

Those voting in the negative were:

Anderson	Haag	Schmidt, Logan
Baumgartner	Isaak	Sticka
Belzer	Levin	Welk
Drovdal	Lindberg	Wolf, McIntosh
Esterby	Monson	Wollitz
Fraser	Schmalenberger	

Absent and not voting:

Allen, Grand Forks	Halvorson	Pyle
Arndt	Haugen	Sandness
Benno	Hegge	Schimke
Brady	Herk	Schnell
Collette	Hovey	Severson
Crockett	Jennings	Shockman
Ekren	Johnson, Cass	Smart
Fitch	Larson	Stair
Fleck	Mortenson	Thompson, Rich'nd
Forseth	Olson, Barnes	Westby
Graham	Olson, Bowman	Yirchott

So the bill as amended passed and the title was agreed to.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Was read the 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, 0; absent and not voting, 34.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Pierce	Halcrow	Rohrer
Anderson	Haugland	Sailer
Bagge	Heckman	Saumur
Baumgartner	Hildre	Schlafmann
Belzer	Hofstrand	Schmalenberger
Bjella	Hogoboom	Schmidt, Logan
Blair	Isaak	Schmidt, Morton
Bolmeier	Johnson, Richland	Schwartz
Boucher	Klefstad	Seibel
Bubel	Langley	Sellens
Bymers	Leet	Sharpe
Callahan	Levin	Skaar
Dalzell	Lillehaugen	Stanley
Devlin	Lindberg	Sticka
Drawz	Luick	Still
Dittmer	Lysne	Stormon
Drovdal	McInnes	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Frank	Mollet	Welk
Fraser	Monson	Wolf, McIntosh
Fuglestad	Mork	Wolf, Morton
Gainor	Nystrom	Wollitz
Grenier	Ohnstad	Mr. Speaker

Absent and not voting:

Allen, Grand Forks	Halvorson	Pyle
Arndt	Haugen	Sandness
Benno	Hegge	Schimke
Brady	Herk	Schnell
Bureau	Hovey	Severson
Collette	Jennings	Shockman
Crockett	Johnson, Cass	Smart
Ekren	Larson	Stair
Fitch	Mortenson	Thompson, Richl'nd
Fleck	Olson, Barnes	Westby
Forseth	Olson, Bowman	Yirchott
Graham		

So the bill passed as amended and the title was agreed to.

Rep. Johnson of Richland moved that action on Senate Bill No. 133 be deferred until after 2:00 o'clock p.m. Monday, which motion prevailed.

Rep. Saumur moved that the House recess until 1:00 o'clock p.m., Monday, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

FIFTY-FOURTH DAY AFTER RECESS  
AND FIFTY-SIXTH DAY

Bismarck, February 26, 1945.

The House reconvened at 1:00 o'clock p. m., pursuant to recess taken, Speaker Bergesen presiding.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 192, have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title of the bill after the word "participation" strike the "period" and add the following language "and repealing all acts or parts of acts in conflict herewith."

And when so amended recommend the same do pass.

REP. BOLMEIER, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bolmeier moved that the rules be suspended and Senate Bill No. 192 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 192 placed on the Calendar.

MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 26, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood, Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

Which the Senate has adopted.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 26, 1945.

Mr. Speaker: I have the honor to return:

House Bill No. 10. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-enacting, Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0608, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.

House Bill No. 80. A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund of the State, and Declaring an Emergency.

House Bill No. 136. A Bill for an Act to Repeal Section 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribution of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Cor-

porations by the Commissioner of Insurance; Investment of Funds and Declaring an Emergency.

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of Said Construction Fund; Fixing a Penalty for Unlawful Withdrawal of Such Construction Fund; and Declaring an Emergency.

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 4-1005 of the North Dakota Revised Code of 1943 Relative to Labeling, Branding or Tagging Potatoes Being Transported or Offered for Sale or Consignment.

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

House Concurrent Resolution "D."

House Concurrent Resolution "K." Regarding Service Performed by the Farm Security Administration, in the Rehabilitation of Farmers Upon the Soil.

House Concurrent Resolution "V."

House Joint Resolution "I."

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 26, 1945.

Mr. Speaker: I have the honor to return:

House Bill No. 11. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Department of Weights and Measures.

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

House Bill No. 142. A Bill for an Act to Amend and Re-enact Section 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 26, 1945.

Mr. Speaker: I have the honor to return:

House Bill No. 178. A Bill for an Act to Amend and Re-

enact Section 54-1304 of the North Dakota Revised Code of 1943, Relating to the Examination and Audit of State Departments and Institutions of Higher Education by the Board of Auditors.

House Bill No. 229. A Bill for an Act Defining Liquid Petroleum Gasses; Providing for the Regulations; Storage and Handling of Liquid Petroleum Gases; Providing a Penalty; and Declaring an Emergency.

House Bill No. 282. A Bill for an Act Making an Appropriation in the Sum of Eleven Thousand Dollars (\$11,000.00), or So Much Thereof as May Be Necessary, to the Board of Administration for the Purchase of Furniture for Legislative Committee Rooms in the State Capitol Building.

House Bill No. 192. A Bill for an Act Requiring Proof by Affidavit of Certain Facts Before Issuance of License for Retail Sale of Beer and Ale by State Tax Commissioner Under Section 5-0203 of the North Dakota Revised Code of 1943.

House Bill No. 207. A Bill for an Act to Freeze License Fees on Passenger Motor Vehicles and Trucks at the Same Tax as Paid for the Year 1945 During the Years 1946 and 1947.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 26, 1945.

Mr. President: I have the honor to return:

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Game and Fish to whom was referred Senate Bill No. 43, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.

Rep. Schmalenberger moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom was referred Senate Bill No. 181, have had the same under consideration and recommend that the same do pass.

REP. BENNO, Chairman.

Rep. Brady moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Election and Election Privileges to whom was referred Senate Bill No. 86, have had the same under consideration and recommend that the same do pass.

REP. HOGOBOOM, Chairman.

Rep. Stormon 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. 199, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BOLMEIER, Chairman.

Rep. Sailer 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. 72, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Election and Election Privileges, to whom was referred Senate Bill No. 93, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HOGOBOOM, Chairman.

Rep. Stormon moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred Senate Bill No. 205, have had the same under consideration and recommend that the same do pass.

REP. BAGGE, Chairman.

Rep. Yirchott moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Highways and Bridges, to whom was referred Senate Bill No. 186, have had the same under consideration and recommend that the same be amended as follows:

In line "8" after the word "heretofore" insert the word "lawfully". In line "8" between the words "served" and "or" insert a "comma (,)" and after the "comma (,)" insert the word "proved".

And when so amended recommend the same do pass.

REP. BAGGE, Chairman.

Rep. Thompson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bagge moved that the rules be suspended and Senate Bill No. 186, be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 186 placed on the Calendar.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred Senate Bill No. 135, have had the same under consideration and recommend that the same be amended as follows:

In line "13" after the word "used" strike out "fro" and insert in lieu thereof the word "for". In line "49" after the word "less" strike out the word "then" and insert in lieu thereof the word "ten".

And when so amended recommend the same do pass.

REP. BAGGE, Chairman.

Rep. Thompson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bagge moved that the rules be suspended and Senate Bill No. 135 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 135 was placed on the Calendar.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 4.

In line 2, strike out the words "the Certification Fund" and insert the following words "any monies" and in the same line after the word "Treasury" and the comma, insert the following words "not otherwise appropriated,".

In line 3, strike out the figures 14,800.00 and insert in lieu thereof the figures \$15,000.00.

In line 8, strike out the figures 4,800.00 and insert in lieu thereof the figures 5,000.00.

In line 13, strike out the figures 14,800.00 and insert in lieu thereof the figures 15,000.00.

Rep. Johnson of Cass moved that the House concur in the Senate amendments to House Bill No. 4, which motion prevailed.

Rep. Sticka moved that the rules be suspended and House Bill No. 4 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 14; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Grenier	Olson, Barnes
Allen, Grand Forks	Halcrow	Ostgulen
Allen, Pierce	Halvorson	Pyle
Anderson	Haugen	Rohrer
Arndt	Haugland	Sailer



Bagge	Heckman	Sandness
Baumgartner	Hegge	Saumur
Belzer	Herk	Schimke
Benno	Hildre	Schlafmann
Bjella	Hofstrand	Schmalenberger
Blair	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Schnell
Boucher	Isaak	Schwartz
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Sellens
Burau	Johnson, Richland	Severson
Bymers	Klefstad	Sharpe
Callahan	Langley	Skaar
Collette	Larson	Smart
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Falconer	McInnes	Wambheim
Fitch	Maher	Westby
Fleck	Monson	Wolf, Morton
Forseth	Mork	Wollitz
Fraser	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor		

Those voting in the negative were:

Crockett	Moe	Thompson, Richl'nd
Engel	Moerke	Tuff
Esterby	Mollet	Weik
Frank	Mortenson	Wolf, McIntosh
Haag	Schmidt, Logan	

Absent and not voting:

Graham	Shockman	Stair
Olson, Bowman		

So the bill passed as amended and the title was agreed to.

House Bill No. 9.

In line 2 of the original bill, strike out the words "the Bee License Fund" and insert the following words: "any monies" and after the word "Treasury" and the comma in the same line insert the following words "not otherwise appropriated."

Rep. Johnson of Cass moved that the House concur in the Senate amendment to House Bill No. 9, which motion prevailed.

Rep. Sticka moved that the rules be suspended and House Bill No. 9 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 101; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Fuglestad	Rohrer
Allen, Grand Forks	Gainor	Sailer
Allen, Pierce	Grenier	Sandness
Anderson	Haag	Saumur
Arndt	Halcrow	Schimke
Bagge	Halvorson	Schlafmann
Baumgartner	Haugen	Schmalenberger
Belzer	Haugland	Schmidt, Logan
Benno	Hegge	Schmidt, Morton
Bjella	Herk	Schnell
Blair	Hildre	Schwartz
Bolmeier	Hogoboom	Seibel
Boucher	Hovey	Sellens
Brady	Isaak	Severson
Bubel	Jennings	Sharpe
Bureau	Johnson, Cass	Skaar
Bymers	Johnson, Richland	Smart
Callahan	Langley	Sticka
Collette	Larson	Still
Crockett	Leet	Stanley
Dalzell	Levin	Stormon
Devlin	Lillehaugen	Symington
Dittmer	Lindberg	Thompson, Griggs
Drawz	Luick	Thompson, Richland
Drovdal	Lysne	Tuff
Ekren	McInnes	Wambheim
Engel	Maher	Welk
Esterby	Moe	Westby
Falconer	Monson	Wolf, McIntosh
Fitch	Mortenson	Wolf, Morton
Fleck	Nystrom	Wollitz
Forseth	Olson, Barnes	Yirchott
Frank	Ostgulen	Mr. Speaker
Fraser	Pyle	

Those voting in the negative were:

Moerke	Mollet	Mork
--------	--------	------

Absent and not voting:

Graham	Klefstad	Shockman
Heckman	Ohnstad	Stair
Hofstrand	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

#### FIRST READING OF HOUSE RESOLUTION

Reps. Johnson of Cass, Bymers, Callahan and Bagge introduced:

#### HOUSE RESOLUTION NO. 3

Resolution of impeachment of Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA:

- 1 Whereas, it appears from the report filed with
- 2 the Legislature by the Interim Investigating Committee
- 3 pursuant to Chapter 29 of the Special Session Laws of
- 4 1944, which report includes the testimony taken and the
- 5 Exhibits received and made a part of the record by such

6 Committee in the course of its investigation, all of which  
 7 is now before the House, that there is probable cause to  
 8 believe that Oscar E. Erickson, Commissioner of Insur-  
 8a ance  
 9 of the State of North Dakota, is guilty of impeachable  
 10 offenses; and that the said Oscar E. Erickson, Com-  
 10a missioner  
 11 of Insurance of the State of North Dakota, should be  
 12 impeached and required to stand trial for said offenses  
 13 in accordance with the Constitution and laws relating to  
 14 and governing the impeachment of state officers;  
 15 NOW, THEREFORE, BE IT RESOLVED: That Oscar  
 15a E.  
 16 Erickson, Commissioner of Insurance of the State of  
 17 North Dakota, be and hereby is impeached of crimes,  
 17a corrupt  
 18 conduct, malfeasance and misdemeanors in office; and,  
 19 BE IT FURTHER RESOLVED, that a Board of Man-  
 19a agers,  
 20 consisting of five members of the House, be appointed by  
 21 the Speaker, to prepare and submit to the House for ap-  
 22 proval, appropriate articles of impeachment and, in the  
 23 event such articles of impeachment are approved, to  
 24 present them to the Bar of the Senate of the State of  
 24a North  
 25 Dakota for trial; to prosecute such impeachment pro-  
 25a ceedings  
 26 in accordance with law; and, to that end, the Board of  
 27 Managers shall be authorized to employ counsel and other  
 28 assistance to aid in the preparation for and in the  
 29 prosecution of such impeachment proceedings; and to do  
 30 such other acts and things reasonably necessary to the  
 31 proper performance of its duties in the premises.

Was read the first time and referred to the Committee of the Whole.

#### CONSIDERATION OF MESSAGES FROM THE SENATE House Bill No. 46.

On page 1 in line 2 of the Title after the word "state" strike out the balance of the line and the word "corporation" in line 3, and insert in lieu thereof the following: "as trustees of the permanent school fund"

In line 4 of the title strike the semi-colon after the word "conveyance" and insert the following: "and providing penalty for failure to do so"

On page 2 line 3 after the word "Dakota" insert the following: "as trustee of the permanent school fund"

In line 3 after the word "benefit" strike out the words "of any department"

Strike all of line 4 up to and including the word "corporation"

Line 14 strike the comma after the word "contract" and also the word "but" in the same line and all of lines 15 and 16 and insert in lieu thereof the following: "and failure to do so shall make the Commissioner of school lands personally liable in a civil action to be brought by the state's attorney of the county wherein the land lies; against such Commis-

sioner for the amount of the taxes that would have been levied had such notice been given as herein provided"

In line 39 after the word "provided" strike the balance of the line and in line 40 strike the words "officer acting for"

Rep. Leet moved that the House concur in the Senate amendments to House Bill No. 46, which motion prevailed.

Rep. Leet moved that the rules be suspended and House Bill No. 46 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 46. A Bill for an Act Requiring That County Auditors Be Notified Whenever Lands Owned by the State as Trustee of the Permanent School Fund Are Sold Upon Contract Providing for a Future Conveyance; and Providing Penalty for Failure to Do So; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor, Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 4; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halverson	Sailer
Arndt	Haugland	Saumur
Bagge	Heckman	Sandness
Baumgartner	Hegge	Schimke
Belzer	Herk	Schlafmann
Benno	Hildre	Schmalenberger
Bjella	Hofstrand	Schmidt, Logan
Blair	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Seibel

Boucher	Isaak	Severson
Brady	Jennings	Schnell
Bubel	Johnson, Cass	Schwartz
Bureau	Johnson, Richland	Sharpe
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Larson	Stanley
Dalzell	Leet	Sticka
Devlin	Levin	Still
Dittmer	Lillehaugen	Stormon
Drawz	Lindberg	Symington
Drovdal	Luick	Thompson, Griggs
Ekren	Lysne	Tuff
Engel	McInnes	Wambheim
Esterby	Maher	Welk
Falconer	Moe	Westby
Fitch	Moerke	Wolf, McIntosh
Fraser	Mollet	Wolf, Morton
Forseth	Monson	Wollitz
Frank	Mortenson	Yirchott
Fuglestad	Nystrom	Mr. Speaker
Gainor	Olson, Barnes	
Those voting in the negative were:		
Crockett	Sellens	Thompson, Rich'nd
Fleck		

## Absent and not voting:

Graham	Ohnstad	Shockman
Haugen	Olson, Bowman	Stair
Mork		

So the bill as amended passed and the title was agreed to.

## SEVENTH ORDER OF BUSINESS

Rep. Westby moved that House Resolution No. 3 be printed in the Journal, which motion prevailed.

Rep. Sailer moved that the absent members be excused, which motion prevailed.

Rep. Sticka moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

## FIFTY-SIXTH DAY

Bismarck, February 26, 1945

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. Laten E. Teare.

Roll call: All members present except Reps. Olson of Bowman and Graham.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 26, 1945.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 4, 9 and 46.

✓ KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 26, 1945.

Mr. President: I have the honor to return:

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Chapter 36-02 of the North Dakota Revised Code of 1943.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax; Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 26, 1945.

Mr. President: I have the honor to return:

Senate Bill No. 91. A Bill for an Act Making an Appropriation for the Use of the North Dakota Post-War Planning Board.

Senate Bill No. 193. A Bill for an Act Requiring Reports to the State Auditor of Sales of Tractor Fuel as Defined in Sections 19-1001 and 19-1011 of the North Dakota Revised Code of 1943.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 26, 1945

Mr. Speaker: I have the honor to return:

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 26, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof; Establishing the Office of Commissioner of Veterans' Affairs; Providing the Qualifications, the Manner of Appointment, Duties and Salary of Such Officer, and Prescribing His Duties.

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

House Bill No. 128. A Bill for an Act Continuing in Force and Effect All Standing and Continuing Appropriations Omitted from the North Dakota Revised Code of 1943; Declaring an Emergency.

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 38-0314 and Section 38-0404 of the North Dakota Revised Code of 1943 and Repealing Section 38-0405 of the North Dakota Revised Code of 1943 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Exempting Hospital Associations Organized for Non-profit from Provisions of Section; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Correspondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

Which the President has signed.

W. J. TROUT, Secretary.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-third Day After Recess and the Fifty-fourth Day and recommends that the same be corrected as follows:

Correct the typographical error in the word "ruled" in line 13, page 807, and the word "General" in line 13 from the bottom of page 812. Just before the last line on page 814 insert "The House reconvened, Speaker Bergesen presiding."

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Richland moved that the Speaker appoint a committee of three to inquire of the State Auditor why the vouchers pursuant to House Bill No. 84 have not been paid and said committee shall demand an answer in writing on or before 4:00 o'clock p. m., today, which motion prevailed.

The Speaker appointed Reps. Crockett, Fitch and Haugen.

#### PETITIONS AND COMMUNICATIONS

Bismarck, February 24, 1945

To the House of Representatives:

I wish to express my thanks to the members of the House of Representatives for the gorgeous basket of flowers sent to Mr. Graham at the hospital.

Also I want to let you know how I appreciated the thoughtful courtesy of Reps. Bymers, Fleck and Anderson in meeting me at the bus station and taking me to the hospital. I sincerely thank you.

Very respectfully,

MRS. F. J. GRAHAM

Rep. Wolf of McIntosh moved that the communication be printed in the Journal, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Rep. Bolmeier moved that action on Senate Bill No. 44 be deferred until after the special order of business which has been set for 3:00 o'clock today, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Was read the second time.



## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 57; nays, 46; absent and not voting 9.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Sailer
Allen, Pierce	Grenier	Sandness
Anderson	Halcrow	Saumur
Arndt	Haugland	Sellens
Bagge	Heckman	Severson
Benno	Herk	Sharpe
Bjella	Hildre	Skaar
Blair	Hogoboom	Smart
Bolmeier	Hovey	Stanley
Boucher	Johnson, Cass	Sticka
Brady	Johnson, Richland	Still
Bymers	Klefstad	Stormon
Callahan	Leet	Symington
Collette	Luick	Thompson, Griggs
Dalzell	Lysne	Wambheim
Dittmer	McInnes	Westby
Drawz	Nystrom	Wollitz
Falconer	Olson, Barnes	Yirchott
Fuglestad	Pyle	Mr. Speaker

Those voting in the negative were:

Acheson	Hofstrand	Ostgulen
Baumgartner	Isaak	Rohrer
Belzer	Jennings	Schimke
Bubel	Larson	Schlafmann
Burau	Levin	Schmalenberger
Devlin	Lillehaugen	Schmidt, Logan
Drovdal	Lindberg	Schmidt, Morton
Ekren	Maher	Schnell
Engel	Moe	Schwartz
Esterby	Moerke	Seibel
Forseth	Mollet	Thompson, Richl'nd
Frank	Monson	Tuff
Fraser	Mork	Welk
Haag	Mortenson	Wolf, McIntosh
Halvorson	Ohnstad	Wolf, Morton
Hegge		

Absent and not voting:

Crockett	Graham	Olson, Bowman
Fitch	Haugen	Shockman
Fleck	Langley	Stair

So the bill passed and the title was agreed to and the emergency clause was declared lost.

Rep. Sandness moved that the vote by which Senate Bill No. 133 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State Aeronautics Committee of North Dakota as Its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Halvorson	Rohrer
Anderson	Haugland	Sailer
Arndt	Heckman	Sandness
Bagge	Hegge	Saumur
Baumgartner	Herk	Schimke
Belzer	Hildre	Schlafmann
Benno	Hofstrand	Schmalenberger
Bjella	Hogoboom	Schmidt, Logan
Blair	Hovey	Schmidt, Morton
Bolmeier	Isaak	Schnell
Boucher	Jennings	Schwartz
Brady	Johnson, Cass	Seibel
Bubel	Johnson, Richland	Sellens
Burau	Klefstad	Severson
Bymers	Langley	Sharpe
Callahan	Larson	Skaar
Collette	Leet	Smart
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stanley
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Richl'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fleck	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Grenier	Olson, Barnes	Mr. Speaker

Absent and not voting:

Crockett	Haugen	Shockman
Fitch	Olson, Bowman	Stair
Graham		

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Halvorson	Rohrer
Allen, Grand Forks	Haag	Sailer
Allen, Pierce	Halcrow	Sandness
Anderson	Haugland	Saumur
Arndt	Heckman	Schimke
Bagge	Hegge	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schnell
Blair	Hovey	Schwartz
Bolmeier	Isaak	Seibel
Boucher	Jennings	Sellens
Brady	Johnson, Cass	Severson
Bubel	Klefstad	Sharpe
Burau	Langley	Shockman
Callahan	Larson	Skaar
Collette	Leet	Smart
Dalzell	Levin	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Rich'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Fitch	Monson	Welk
Fleck	Mork	Westby
Forseth	Mortenson	Wolf, McIntosh
Frank	Nystrom	Wolf, Morton
Fraser	Olson, Barnes	Wollitz
Fuglestad	Ostgulen	Yirchott
Gainor	Pyle	Mr. Speaker
Grenier		

Those voting in the negative were:

Moe

Absent and not voting:

Bymers	Haugen	Olson, Bowman
Crockett	Johnson, Richland	Stair
Graham	Ohnstad	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 210. A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hettinger in Adams County and Langdon in Cavalier County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

Was read the second time.

• ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halerow	Rohrer
Anderson	Halvorsen	Sailer
Arndt	Haugland	Sandness
Bagge	Heckman	Saumur
Baumgartner	Hegge	Schimke
Belzer	Herk	Schlafmann
Benno	Hildre	Schmalenberger
Bjella	Hofstrand	Schmidt, Logan
Blair	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Schnell
Boucher	Isaak	Schwartz
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Sellens
Bureau	Johnson, Richland	Severson
Bymers	Klefstad	Sharpe
Callahan	Langley	Shockman
Collette	Larson	Skaar
Crockett	Leet	Stanley
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Rich'nd
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Tuff
Esterby	Moe	Wambheim
Falconer	Moerke	Welk
Fleck	Mollet	Westby
Fitch	Monson	Wolf, McIntosh
Forseth	Mork	Wolf, Morton
Frank	Mortenson	Wollitz
Fraser	Nystrom	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Gainor		

Absent and not voting:

Graham	Ohnstad	Smart
Haugen	Olson, Bowman	Stair

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 26, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 128 and the President has appointed as a conference committee to act with a like committee from the House, Senators Morgan, Lynch and Bridston.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 26, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 19.  
Senate Bill No. 26.  
Senate Bill No. 48.  
Senate Bill No. 57.  
Senate Bill No. 88.  
Senate Bill No. 122.  
Senate Bill No. 150.  
Senate Bill No. 154.

W. J. TROUT, Secretary.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Rep. Fitch moved that a Conference Committee be appointed to confer with a like Committee from the Senate on Senate Bill No. 128, which motion prevailed.

The Speaker appointed Reps. Blair, Callahan and Mollet.

#### SECOND READING OF SENATE BILLS

Senate Concurrent Resolution No. 12. A Concurrent Resolution Memorializing the Interstate Commerce Commission and the Public Service Commission of the State of North Dakota to Take Steps to Remove the Discrimination Now Existing Against the North Dakota Shippers of Grain.

Was read the second time.

Rep. Bymers moved that Senate Concurrent Resolution No. 12 be adopted, which motion prevailed and Senate Concurrent Resolution No. 12 was adopted.

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and to Declare an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 106; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Halvorson	Pyle
Allen, Grand Forks	Haugen	Rohrer
Allen, Pierce	Haugland	Sailer
Anderson	Heckman	Sandness
Arndt	Hegge	Saumur
Bagge	Herk	Schimke
Baumgartner	Hildre	Schnell
Belzer	Hofstrand	Schlafmann
Benno	Hogoboom	Schmalenberger
Bjella	Hovey	Schmidt, Logan
Blair	Isaak	Schmidt, Morton
Bolmeier	Jennings	Schwartz
Boucher	Johnson, Cass	Seibel
Brady	Johnson, Richland	Sellens
Bureau	Klefstad	Severson
Bymers	Langley	Sharpe
Callahan	Larson	Shockman

Collette	Leet	Skaar
Dalzell	Levin	Smart
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Luick	Still
Drovdal	Lysne	Stormon
Ekren	McInnes	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Rich'nd
Falconer	Moerke	Tuff
Fitch	Mollet	Wambheim
Fleck	Monson	Welk
Forseth	Mork	Westby
Frank	Mortenson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Gainor	Ohnstad	Wollitz
Grenier	Olson, Barnes	Yirchott
Haag	Ostgulen	Mr. Speaker
Halcrow		

Those voting in the negative were:

Bubel                      Crockett

Absent and not voting:

Fuglestad              Olson, Bowman              Stair

Graham

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, 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, 75; nays, 34; absent and not voting, 3.

Those voting in the affirmative were:

Allen, Grand Forks	Fitch	Nystrom
Allen, Pierce	Fuglestad	Ohnstad
Anderson	Gainor	Olson, Barnes
Arndt	Halcrow	Pyle
Bagge	Haugland	Sailer
Baumgartner	Heckman	Sandness
Benno	Hegge	Saumur
Bjella	Herk	Schlafmann
Blair	Hildre	Schmalenberger
Bolmeier	Hofstrand	Schnell
Brady	Hogoboom	Sellens
Bubel	Hovey	Severson
Bureau	Jennings	Sharpe
Bymers	Johnson, Cass	Skaar
Callahan	Johnson, Richland	Smart
Collette	Klefstad	Stanley
Crockett	Langley	Sticka
Dalzell	Larson	Still
Devlin	Leet	Stormon
Dittmer	Lillehaugen	Symington

Drawz	Luick	Thompson, Griggs
Drovdal	Lysne	Wambheim
Ekren	McInnes	Westby
Falconer	Maher	Yirchott
Fleck	Mortenson	Mr. Speaker
Those voting in the negative were:		
Acheson	Isaak	Schmidt, Logan
Belzer	Levin	Schmidt, Morton
Boucher	Lindberg	Schwartz
Engel	Moe	Seibel
Esterby	Moerke	Shockman
Forseth	Mollet	Thompson, Rich'nd
Frank	Monson	Tuff
Fraser	Mork	Welk
Grenier	Ostgulen	Wolf, McIntosh
Haag	Rohrer	Wolf, Morton
Halvorson	Schimke	Wollitz
Haugen		

Absent and not voting:

Graham	Olson, Bowman	Stair
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Crockett changed his vote from "no" to "aye" for the purpose of reconsideration.

#### SEVENTH ORDER OF BUSINESS

Rep. Johnson of Richland moved that further consideration of the report of the committee on Senate Bill No. 87 be laid over one legislative day, which motion prevailed.

Rep. Johnson of Richland served notice of intention to move for reconsideration of action taken on Senate Bill No. 93, before 2 o'clock tomorrow.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 26, 1945

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 Senate Bill No. 128, Reps. Blair, Callahan and Mollet.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same in the City of Bismarck, North Dakota.

Was read the second time.

Rep. Crockett moved that the rules be suspended and Senate Bill No. 44 be amended as follows: In the title of the bill after the word "same" and before the word "in" insert the words "on the capitol grounds".

In line 8 of the bill after the word "same" and before the word "in" insert the words "on the capitol grounds".

And renumber the lines.

Which motion prevailed.

Rep. Crockett moved that the rules be suspended and

Senate Bill No. 44 be placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same on the Capitol Grounds in the City of Bismarck, North Dakota.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 28; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Fraser	Ohnstad
Allen, Grand Forks	Fuglestad	Olson, Barnes
Allen, Pierce	Gainor	Ostgulen
Arndt	Grenier	Pyle
Bagge	Halcrow	Rohrer
Benno	Haugen	Sailer
Bjella	Haugland	Sandness
Blair	Heckman	Saumur
Bolmeier	Hegge	Schlafmann
Boucher	Herk	Schnell
Brady	Hildre	Sellens
Burau	Hofstrand	Severson
Bymers	Hogoboom	Sharpe
Callahan	Hovey	Skaar
Collette	Johnson, Cass	Smart
Crockett	Johnson, Richland	Stanley
Dalzell	Klefstad	Sticka
Devlin	Langley	Still
Dittmer	Larson	Stormon
Drawz	Leet	Symington
Drovdal	Luick	Thompson, Griggs
Ekren	Lysne	Wambheim
Esterby	McInnes	Westby
Falconer	Maher	Wolf, Morton
Fitch	Moe	Wollitz
Fleck	Mortenson	Yirchott
Forseth	Nystrom	Mr. Speaker

Those voting in the negative were:

Anderson	Levin	Schmidt, Logan
Baumgartner	Lillehaugen	Schmidt, Morton
Belzer	Lindberg	Schwartz
Bubel	Moerke	Seibel
Engel	Mollet	Shockman
Frank	Monson	Thompson, Rich'nd
Haag	Mork	Tuff
Halvorson	Schimke	Welk
Isaak	Schmalenberger	Wolf, McIntosh
Jennings		

Absent and not voting:

Graham                      Olson, Bowman              Stair

So the bill passed as amended and the title was agreed to.  
Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code



of 1943 Relating to Cooperative Associations and the Purposes of Organization.

Was read the 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, 27; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Grenier	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Halvorson	Ostgulen
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur
Belzer	Heckman	Schlafmann
Benno	Hegge	Schmalenberger
Bjella	Herk	Schmidt, Morton
Blair	Hildre	Schnell
Boucher	Hogoboom	Schwartz
Bubel	Hovey	Seibel
Burau	Jennings	Sellens
Bymers	Johnson, Richland	Severson
Callahan	Klefstad	Sharpe
Collette	Langley	Shockman
Dalzell	Leet	Skaar
Devlin	Levin	Smart
Drawz	Lillehaugen	Stanley
Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Esterby	Lysne	Symington
Falconer	McInnes	Thompson, Griggs
Fleck	Maher	Wambheim
Forseth	Monson	Westby
Fraser	Mork	Wolf, Morton
Fuglestad	Mortenson	Wollitz
Gainor	Nystrom	Mr. Speaker

Those voting in the negative were:

Anderson	Hofstrand	Sailer
Baumgartner	Isaak	Schimke
Bolmeier	Johnson, Cass	Schmidt, Logan
Brady	Larson	Sticka
Crockett	Moe	Thompson, Richl'nd
Dittmer	Moerke	Tuff
Engel	Mollet	Welk
Frank	Pyle	Wolf, McIntosh
Haag	Rohrer	Yirchott

Absent and not voting:

Fitch	Olson, Bowman	Stair
Graham		

So the bill passed as amended and the title was agreed to.

Rep. Saumur moved that the vote by which Senate Bill No. 84 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORT OF SELECT COMMITTEE

Rep. Crockett reported that the committee appointed to confer with the State Auditor had delivered the message and the Auditor wanted to know what would happen if she did

not give an answer. Rep. Crockett advised that it was a demand of the House and she should act accordingly. A copy of the motion was requested. The same was prepared, signed by the Speaker and delivered by a Page.

The Report of the Committee was received.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 102; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Saumur
Arndt	Haugland	Schimke
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogoboom	Schwartz
Bolmeier	Hovey	Seibel
Boucher	Isaak	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Burau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Larson	Stanley
Crockett	Leet	Sticka
Dalzell	Levin	Still
Devlin	Lillehaugen	Stormon
Dittmer	Lindberg	Symington
Drawz	Luick	Thompson, Griggs
Drovdal	Lysne	Thompson, Richl'nd
Ekren	McInnes	Tuff
Engel	Moe	Wambheim
Esterby	Mortenson	Welk
Falconer	Moerke	Westby
Forseth	Mollet	Wolf, McIntosh
Fraser	Monson	Wolf, Morton
Frank	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Maher

Absent and not voting:

Fitch	Haugen	Ostgulen
Fleck	Mork	Sandness
Graham	Olson, Bowman	Stair

So the bill passed and the title was agreed to.

Rep. Lillehaugen moved that the vote by which Senate Bill No. 131 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 144. A Bill for an Act Transferring Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 1; absent and not voting, 14.

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Olson, Barnes
Allen, Pierce	Halcrow	Pyle
Anderson	Halvorson	Rohrer
Arndt	Haugland	Sailer
Bagge	Heckman	Saumur
Baumgartner	Hegge	Schimke
Belzer	Herk	Schlafmann
Benno	Hildre	Schmalenberger
Bjella	Hofstrand	Schmidt, Logan
Blair	Hovey	Schmidt, Morton
Bolmeier	Isaak	Schnell
Boucher	Jennings	Schwartz
Brady	Johnson, Cass	Sellens
Bubel	Klefstad	Seibel
Burau	Langley	Severson
Bymers	Larson	Shockman
Callahan	Leet	Skaar
Collette	Levin	Stanley
Crockett	Lillehaugen	Still
Dalzell	Lindberg	Stormon
Devlin	Luick	Symington
Dittmer	Lysne	Thompson, Griggs
Drawz	McInnes	Thompson, Richl'nd
Drovdal	Maher	Tuff
Engel	Moe	Wambheim
Esterby	Moerke	Welk
Falconer	Mollet	Westby
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fuglestad	Mortenson	Wollitz
Fraser	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker
Grenier		

Those voting in the negative were:

Acheson

Absent and not voting:

Ekren	Hogoboom	Sharpe
Fitch	Johnson, Richland	Smart
Fleck	Olson, Bowman	Stair
Graham	Ostgulen	Sticka
Haugen	Sandness	

So the bill passed as amended and the title was agreed to.

Rep. Lillehaugen moved that the House recess for 15 minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

Rep. Bolmeier moved that the courtesies of the floor be extended to former Rep. Carl Dittmer, which motion prevailed.

Rep. Sticka moved that the courtesies of the floor be extended to former Rep. Braun, which motion prevailed.

#### FIRST READING OF HOUSE RESOLUTION

The Ways and Means Committee introduced:

#### HOUSE CONCURRENT RESOLUTION "Z"

A Concurrent Resolution Memorializing Congress, the President of the United States, and Chester Bowles, Administrator of The Office of Price Administration, to Permit the Sale of North Dakota Butter within Ceiling Prices on the Basis of Its True Commercial Value, and to Cease Unjust Discrimination Against Butter Made in the State of North Dakota.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:

1 That Whereas the Creamery industry contributes  
 1a materially  
 2 to the aggregate economy of the State of North Dakota,  
 3 and is the only branch of agriculture in which practically  
 4 all the processing of the products are carried out within  
 5 the borders of the State; and whereas the Office of  
 6 Price Administration has adopted a policy in dealing with  
 7 our North Dakota creameries based on the erroneous  
 8 conclusion that top quality butter cannot be produced in  
 9 North Dakota and pursuant to said policy has classified  
 10 North Dakota as a B grade butter state;  
 11 And whereas, this action is doing irreparable harm to our  
 12 dairy industry as a whole and particularly to the producer,  
 13 as any action that compels creameries to market butter on  
 14 the theory that government grades are the sole and only  
 15 basis of its commercial value will automatically reduce  
 16 the price the creamery can pay to the producer in this  
 17 state for butterfat; and whereas if damage actions by the  
 18 Office of Price Administration succeed as against  
 18a creameries  
 19 which have bought and paid for butterfat, to the  
 19a producer,  
 20 on the theory that such butterfat could be and was  
 20a processed  
 21 into butter that could be lawfully sold for a price actually  
 22 based on its real commercial value, within ceiling price  
 23 limitations, and judgments for damages against said  
 24 creameries are obtained, then and in that event, as to  
 25 co-operative creameries, the damages will be collected  
 25a from  
 26 the pockets of the farmer producer, and as to independent  
 27 creameries, the judgments will have to be collected out of  
 28 the working capital, as in truth and in fact the prices  
 29 that were paid to the farmer were based on the prices the  
 30 creameries have received for the butter, and in truth and  
 31 in fact, no damage has accrued to the consumer; and if the  
 32 present program of the OPA is carried out, no benefit can  
 33 or will accrue to the consumer. The North Dakota  
 33a producer

34 will be materially damaged and the ultimate consumer will  
 35 receive no benefit.  
 36 NOW, THEREFORE, Be it resolved that we petition the  
 37 Congress of the United States to investigate the activities  
 38 of the OPA in connection with the matters hereinbefore  
 39 referred to, and to urge Chester Bowles, Administrator of  
 40 the Office of Price Administration, to issue such  
 40a regulations  
 41 as may be required to permit North Dakota creameries to  
 41a sell  
 42 North Dakota butter within ceiling prices on the basis of  
 43 its true commercial value, and that the present program of  
 44 the OPA based on alleges upgrading be forthwith  
 44a terminated.  
 45 It is further resolved that a copy of this joint  
 46 resolution be sent to the President of the United States,  
 47 to Chester Bowles, Administrator, and to each of the  
 47a North  
 48 Dakota members of Congress.

Was read the first time.

Rep. Crockett moved that House Concurrent Resolution "Z" be adopted, which motion prevailed and House Concurrent Resolution "Z" was adopted.

Rep. Crockett moved that House Concurrent Resolution "Z" be printed in the Journal, which motion unanimously prevailed.

REPORT OF SELECT COMMITTEE  
 STATE OF NORTH DAKOTA  
 Berta E. Baker  
 State Auditor  
 BISMARCK

February 26, 1945

Honorable A. R. Bergesen, Speaker  
 House of Representatives  
 State of North Dakota  
 Bismarck, North Dakota

Dear Mr. Speaker:

This will acknowledge receipt of a copy of a motion of the House of Representatives which reads as follows:

"Rep. Johnson of Richland moved that the Speaker appoint a committee of three to inquire of the State Auditor why the vouchers pursuant to House Bill No. 84 have not been paid and said Committee shall demand an answer in writing on or before 4:00 o'clock p. m., today, which motion prevailed."

I have given this matter very serious consideration and after considerable deliberation, I find it necessary to decline to issue warrants for the voucher presented.

There has been grave doubt expressed as to the constitutionality, and in fairness to everyone, I feel that it would be better to have the question determined by the courts before payments are made.

Respectfully submitted,  
 BERTA E. BAKER,  
 State Auditor.

Rep. Johnson of Richland moved that the same committee continue to act and contact the Attorney General and instruct

him to bring such appropriate action as may be necessary, which motion prevailed.

#### GENERAL ORDERS

Rep. McInnes moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. McInnes to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

Senate Bill No. 6.

Line 8—Change the word “adminsitration” to read “administration”.

Line 15—Strike out the figures “\$11,000.00” and insert in lieu thereof the figures “\$10,000.00”.

Insert a new line as follows:

“15a Salary—State Highway Engineer 10,000.00”.

Line 16—Strike out the figures “189,000.00” and insert in lieu thereof the figures “180,000.00”.

Line 26—Change the word “Departemnt” to read “Department”.

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

Senate Bill No. 146.

In line 11 of the original bill after the word “exceed” strike out the numerals “\$4.25” and insert in lieu thereof the numerals “\$5.00”. Also in line 11 after the word “and” strike out the numerals “\$5.00” and insert in lieu thereof “\$5.50”.

In line 16 strike out the words “seed and”.

In line 27 after the word “charges” strike out the period and add the following: “and shall make detailed annual reports of all receipts and expenditures to the Board of Administration, which shall publish the same for distribution to interested parties.”

And when so amended recommend the same do pass.

Senate Bill No. 24.

Line 4—Strike out the figures “\$210,075.00” and insert in lieu thereof the figures “\$196,075.00”.

Line 12—Strike out the figures “\$17,400.00” and insert in lieu thereof the figures “\$15,600.00”.

Line 13—Strike out the figures “109,775.00” and insert in lieu thereof the figures “100,575.00”.

Line 14—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 16—Strike out the figures “8,000.00” and insert in lieu thereof the figures “6,000.00”.

Line 17—Strike out the figures “4,000.00” and insert in lieu thereof the figures “3,000.00”.

Line 23—Strike out the figures “\$210,075.00” and insert in lieu thereof the figures “\$196,075.00”.

And further amend by renumbering the lines.

In line 16 strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$8,000.00" and in line 4 strike out the figures "\$196,075.00" and insert in lieu thereof the figures "\$198,075.00". In line 23 strike out the figures "\$196,075.00" and insert in lieu thereof the figures "\$198,075.00".

And recommend the same do pass as amended by the Standing Committee and further amended by the Committee of the Whole.

Senate Bill No. 12.

Line 4—Strike out the figures "\$22,235.00" and insert in lieu thereof the figures "\$27,635.00".

Line 9—Strike out the figures "\$2,400.00" and insert in lieu thereof the figures "\$4,800.00".

Line 11—Change the word "Prtg." to read "Printing", "Furn." to "Furniture" and strike out the figures "3,000.00" and insert in lieu thereof the figures "6,000.00".

Line 17—Strike out the figures "\$22,235.00" and insert in lieu thereof the figures "\$27,635.00".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

Senate Bill No. 8.

Line 3—Strike out the figures "\$208,546.09" and insert in lieu thereof the figures "\$209,746.09".

Line 9—Strike out the figures "\$4,800.00" and insert in lieu thereof the figures "\$5,400.00".

Line 10—Change the word "Ass't" to read "Assistant", and strike out the figures "4,200.00" and insert in lieu thereof the figures "4,800.00".

Line 13—Change the words "Prtg." to read "Printing", "Furn." to "Furniture".

Line 19—Change the word "Mtce." to read "Maintenance".

Line 21—Strike out the figures "\$208,546.09" and insert in lieu thereof the figures "\$209,746.09".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

Senate Bill No. 71.

Strike out everything after "A Bill" and insert in lieu thereof the following:

For an Act to amend and re-enact Section 30-2313 of Chapter 30-23 of the North Dakota Revised Code of 1943, fixing the compensation of Guardians of incompetent veterans and of minor children of disabled or deceased veterans, and prescribing the procedure for allowance of the same; declaring an emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

Section 1. Amendment. That Section 30-2313 of Chapter 30-23 of the North Dakota Revised Code of 1943 be, and the same hereby is, amended and re-enacted to read as follows:

Section 30-2313. Compensation of Guardians. Proceedings for allowance.) Unless the County Court determines that special services were performed by the guardian, the compensation payable to guardians under the provisions of this chapter shall not exceed five per cent (5%) of the income

of the ward during any one year. In computing the same, the corpus of an estate received from a preceding guardian shall not be included as income. Provided, however, that when the ward's estate includes personal property, securities or other investments, the County Court may allow the guardian compensation for the safekeeping and management of such property and investments, but such compensation shall not exceed two-fifths of one per cent per annum of their value. If the County Court allows the guardian the maximum amount for the safekeeping and management of personal property and investments, the court shall not allow the guardian any compensation on the income collected on the same during the accounting period. In the event that the estate of the ward includes real estate, either city property or farm land, the County Court may allow the guardian such compensation for the supervision and management of such real estate as is commensurate with the services rendered at the prevailing rate paid for such services in the locality where such property is situated. If the compensation of a guardian, as provided for in this section, amounts to less than twenty-five dollars (\$25.00) for any year, the County Court may, in its discretion, allow the guardian compensation in the amount of twenty-five dollars (\$25.00) for such year. The guardian shall petition for allowance of such compensation either by special petition or as a part of any petition for the allowance and approval of an account. Notice of such petition and of the time and place of hearing thereon shall be given to the proper office of the Administration in the manner provided in Section 30-2311. The guardian may be allowed from the estate of his ward reasonable premiums paid by him to any corporate surety upon his bond. No bond shall be required of any guardian which qualifies as a trust company in North Dakota, under Chapter 6-05 of the North Dakota Revised Code of 1943.

Section 2. This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

REP. McINNES, Chairman,  
Committee of the Whole.

Rep. Bolmeier moved that the report of the Committee of the Whole 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:

- House Bill No. 107.
- House Bill No. 116
- House Bill No. 128.
- House Bill No. 137.
- House Bill No. 138.
- House Bill No. 141.
- House Bill No. 160.
- House Bill No. 171.
- House Bill No. 198.
- House Bill No. 280.



Were delivered to the Governor for his approval at the hour of 2:35 p.m., o'clock, February 26, 1945.

REP. LEET, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 16, have had the same under consideration and recommend that the same be amended as follows:

Line 12—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

Line 27—Change the word "Mtce." to read "Maintenance".

Line 28—Change the word "Mtce." to read "Maintenance".

And further amend by renumbering the lines.

And when so amended recommend 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.

Rep. Johnson of Cass moved that the rules be suspended and Senate Bill No. 16 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 16 placed on the Calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 145, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 28, have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures "\$260,020.60" and insert in lieu thereof the figures "\$265,020.60".

Line 9—Change the word "Com'r" to read "Commissioner".

Line 11—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

Insert a new line as follows:

"22c Chemistry Tables and Installation 5,000.00".

Line 23—Strike out the figures "\$260,020.60" and insert in lieu thereof the figures "\$265,020.60".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Allen of Grand Forks moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 27, have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures "\$4,400.00" and insert in lieu thereof the figures "\$20,390.00".

Line 9—Strike out the figures "\$300.00" and insert in lieu thereof the figures "\$750.00".

Line 10—Strike out the figures "400.00" and insert in lieu thereof the figures "1,200.00".

Line 12—Strike out the figures "600.00" and insert in lieu thereof the figures "1,000.00".

Line 13—Strike out the figures "300.00" and insert in lieu thereof the figures "600.00".

Line 14—Strike out the figures "1,800.00" and insert in lieu thereof the figures "15,840.00".

Line 15—Strike out the figures "\$4,400.00" and insert in lieu thereof the figures "\$20,390.00".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Luick 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. 25, have had the same under consideration and recommend that the same be amended as follows:

Line 6—After the word "Survey" strike out the balance of the line in its entirety.

Lines 7 and 8—Strike out in their entirety.

Line 9—Strike out the word "Survey".

Line 12—Change the word "Prtg." to read "Printing", "Furn." to "Furniture".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Sticka moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and Senate Bill No. 25 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 25 placed on the calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 17, have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures "\$13,965.00" and insert in lieu thereof the figures "\$13,485.00".

Line 11—Strike out the figures "3,240.00" and insert in lieu thereof the figures "2,760.00".

Line 12—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

Line 17—Strike out the figures "\$13,965.00" and insert in lieu thereof the figures "\$13,485.00".

Line 20—Strike out the words "to the credit of Coal Mine Safety Fund".

Line 26—Strike out the word "Fund".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 14, have had the same under consideration and recommend that the same be amended as follows:

Line 11—Change the word "Exec." to read "Executive" and "St." to read "State".

Line 14—Change the word "Prtg." to read "Printing" and "Furn." to read "Furniture".

And further amend by renumbering the lines.

And when so amended recommend 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.

Rep. Johnson of Cass moved that the rules be suspended and Senate Bill No. 14 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 14 placed on the calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 13, have had the same under consideration and recommend that the same be amended as follows:

Line 32—Change the word "Ass'n" to read "Association".

Line 34—Change the words "N. Dak." to read "North Dakota" and "Dept." to "Department".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and Senate Bill No. 13 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 13 placed on the calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 11, have had the same under consideration and recommend that the same be amended as follows:

Line 11—Change the word "Com'r" to read "Commissioner".

Line 14—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

Line 22—Change the word "Mtce." to read "Maintenance".

Line 23—Change the word "Mtce." to read "Maintenance".

And further amend by renumbering the lines if necessary.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and Senate Bill No. 11 be amended as recommended by the

Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 11 placed on the Calendar.

Mr. Speaker: Your Committee on Appropriations, to whom was referred Senate Bill No. 3, have had the same under consideration and recommend that the same be amended as follows:

Line 18—Change the abbreviations “U. S.” to read “United States”.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and Senate Bill No. 3 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 3 placed on the Calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 2, have had the same under consideration and recommend that the same be amended as follows:

Line 16—Strike out the figures “50,000.00” and insert in lieu thereof the figures “45,000.00”.

Line 18—Change the word “Internl” to read “International” and “Com’rs” to read “Commissioners”.

Line 20—Change the abbreviations “U. S.” to read “United States”.

Line 22—Change the abbreviations “U. S.” to read “United States”.

Line 26—Strike out the figures “20,000.00” and insert in lieu thereof the figures “25,000.00”.

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations, to whom was referred Senate Bill No. 5, have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures “\$256,368.00” and insert in lieu thereof the figures “\$240,408.00”.

Line 17—Strike out the figures “102,000.00” and insert in lieu thereof the figures “90,000.00”.

Line 18—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 26—Strike out the figures “\$151,920.00” and insert in lieu thereof the figures “\$139,920.00”.

Line 28—Strike out the figures "\$40,000.00" and insert in lieu thereof the figures "\$36,040.00".

Line 29—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

Line 35—Strike out the figures "\$52,800.00" and insert in lieu thereof the figures "\$48,840.00".

Line 38—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

Line 46—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

Line 52—Strike out the figures "\$256,368.00" and insert in lieu thereof the figures "\$240,408.00".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE GOVERNOR

State of North Dakota

#### OFFICE OF THE GOVERNOR

Bismarck, February 17, 1945

To the House of Representatives of the State of North Dakota:

Gentlemen:-

This is to notify you that I have approved the following House Bills: 40; 39; 45; 47; 77; 36; 59; 64; 76; 52; 57; 72 and 102. And the same have been filed with the Secretary of State.

Very respectfully,

FRED G. AANDAHL,  
Governor of North Dakota.

State of North Dakota

#### OFFICE OF THE GOVERNOR

Bismarck, February 23, 1945

Members of the House of Representatives

House Chambers

State Capitol

Bismarck, North Dakota

Gentlemen:

This is to advise you that I have approved and signed the following House Bills: Number 15, 81, and 68.

And the same have been delivered to the Secretary of State's Office.

Respectfully,

FRED G. AANDAHL  
Governor of North Dakota

## REPORT OF SELECT COMMITTEE

Rep. Crockett reported that his committee had contacted the Attorney General Regarding House Bill No. 84 and he will immediately start action.

The report of the committee was received.

## SECOND READING OF SENATE BILLS

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 64; nays, 43; absent and not voting, 5.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Haugland	Sandness
Arndt	Heckman	Saumur
Bagge	Herk	Sellens
Benno	Hildre	Severson
Bjella	Hofstrand	Sharpe
Blair	Hogoboom	Skaar
Bolmeier	Hovey	Smart
Brady	Johnson, Cass	Stair
Burau	Johnson, Richland	Stanley
Bymers	Klefstad	Still
Callahan	Langley	Stormon
Collette	Leet	Symington
Dalzell	Lillehaugen	Thompson, Griggs
Dittmer	Luick	Wambheim
Drawz	Lysne	Welk
Ekren	McInnes	Westby
Falconer	Maher	Wolf, Morton
Fitch	Nystrom	Wollitz
Fleck	Ohnstad	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Gainor		

Those voting in the negative were:

Acheson	Haugen	Rohrer
Anderson	Hegge	Schimke
Baumgartner	Isaak	Schlafmann
Belzer	Jennings	Schmalenberger
Boucher	Larson	Schmidt, Logan
Bubel	Levin	Schmidt, Morton
Crockett	Lindberg	Schnell
Drovdal	Moe	Schwartz
Engel	Moerke	Seibel
Esterby	Mollet	Shockman
Forseth	Monson	Sticka
Frank	Mork	Thompson, Richl'nd
Fraser	Mortenson	Tuff
Grenier	Ostgulen	Wolf, McIntosh
Haag		

## Absent and not voting:

Deylin	Halyorson	Pyle
Graham	Olson, Bowman	

So the bill as amended passed and the title was agreed to and the emergency clause was declared carried.

Rep. Leet moved that the title of Senate Bill No. 124 be amended by striking out the word "Creating" and inserting in lieu thereof the word "Declaring", which motion prevailed.

Rep. Brady moved that the vote by which Senate Bill No. 124 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund 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, 101; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Haugen	Rohrer
Allen, Grand Forks	Haugland	Sailer
Allen, Pierce	Heckman	Sandness
Anderson	Hegge	Saumur
Arndt	Herk	Schimke
Bagge	Hildre	Schlafmann
Baumgartner	Hofstrand	Schmalenberger
Benno	Hogoboom	Schmidt, Logan
Bjella	Hovey	Schmidt, Morton
Blair	Isaak	Schnell
Bolmeier	Jennings	Schwartz
Boucher	Johnson, Cass	Sellens
Brady	Johnson, Richland	Severson
Bubel	Klefstad	Sharpe
Burau	Langley	Shockman
Bymers	Larson	Skaar
Callahan	Leet	Smart
Collette	Levin	Stanley
Crockett	Lillehaugen	Sticka
Dalzell	Lindberg	Still
Dittmer	Luick	Stormon
Drawz	Lysne	Symington
Drovdal	McInnes	Thompson, Griggs
Ekren	Maher	Thompson, Rich'nd
Engel	Moe	Tuff
Esterby	Moerke	Wambheim
Falconer	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Haag	Olson, Barnes	Mr. Speaker
Halcrow	Ostgulen	

Those voting in the negative were:

Belzer                      Grenier                      Seibel

Absent and not voting:

Devlin	Graham	Pyle
Fitch	Halvorson	Stair
Fleck	Olson, Bowman	

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 39. A Bill for an Act Making an Appropriation 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 Sections 26-2401 to 26-2421, Inclusive, of the North Dakota Revised Code 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, 89; nays, 13; absent and not voting, 10.

Those voting in the affirmative were:

Acheson	Herk	Sailer
Allen, Grand Forks	Hildre	Sandness
Allen, Pierce	Hofstrand	Saumur
Arndt	Hogoboom	Schimke
Bagge	Hovey	Schlafmann
Baumgartner	Isaak	Schmalenberger
Benno	Jennings	Schmidt, Morton
Bjella	Johnson, Cass	Schnell
Blair	Klefstad	Schwartz
Bolmeier	Langley	Seibel
Boucher	Larson	Sellens
Brady	Leet	Severson
Bubel	Levin	Sharpe
Burau	Lillehaugen	Skaar
Bymers	Lindberg	Smart
Callahan	Luick	Stanley
Collette	Lysne	Sticka
Dalzell	McInnes	Still
Dittmer	Maher	Stormon
Drawz	Moe	Symington
Ekren	Moerke	Thompson, Griggs
Falconer	Mollet	Wambheim
Forseth	Monson	Welk
Fuglestad	Mork	Westby
Grenier	Mortenson	Wolf, McIntosh
Halcrow	Nystrom	Wolf, Morton
Haugen	Ohnstad	Wollitz
Haugland	Olson, Barnes	Yirchott
Heckman	Ostgulen	Mr. Speaker
Hegge	Rohrer	

Those voting in the negative were:

Anderson	Esterby	Schmidt, Logan
Belzer	Frank	Shockman



Crockett	Fraser	Thompson, Richl'nd
Drovdal	Haag	Tuff
Engel		

## Absent and not voting:

Devlin	Graham	Olson, Bowman
Fitch	Halvorson	Pyle
Fleck	Johnson, Richland	Stair
Gainor		

So the bill as amended passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 21.

## Those voting in the affirmative were:

Acheson	Grenier	Sailer
Allen, Grand Forks	Haag	Saumur
Anderson	Haugen	Schimke
Arndt	Haugland	Schlafmann
Bagge	Hegge	Schmalenberger
Baumgartner	Herk	Schmidt, Logan
Belzer	Hildre	Schmidt, Morton
Benno	Hofstrand	Schnell
Bjella	Hogoboom	Schwartz
Blair	Hovey	Seibel
Bolmeier	Isaak	Sellens
Boucher	Jennings	Sharpe
Brady	Johnson, Cass	Shockman
Bubel	Leet	Skaar
Burau	Levin	Stanley
Bymers	Lindberg	Sticka
Callahan	Luick	Still
Collette	Lysne	Stormon
Dalzell	McInnes	Symington
Devlin	Maher	Thompson, Griggs
Dittmer	Moe	Thompson, Richl'nd
Drawz	Moerke	Tuff
Drovdal	Mollet	Wambheim
Ekren	Monson	Welk
Engel	Mork	Westby
Esterby	Mortenson	Wolf, McIntosh
Falconer	Nystrom	Wolf, Morton
Fitch	Ohnstad	Wollitz
Forseth	Olson, Barnes	Yirchott
Frank	Rohrer	Mr. Speaker
Fraser		

## Absent and not voting:

Allen, Pierce	Halvorson	Olson, Bowman
Crockett	Heckman	Ostgulen
Fleck	Johnson, Richland	Pyle
Fuglestad	Klefstad	Sandness

Gainor	Langley	Severson
Graham	Larson	Smart
Halcrow	Lillehaugen	Stair

So the bill passed as amended and the title was agreed to.

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 73; nays, 0; absent and not voting, 39.

Those voting in the affirmative were:

Acheson	Halvorson	Schimke
Allen, Grand Forks	Haugen	Schlafmann
Anderson	Hegge	Schmalenberger
Arndt	Herk	Schmidt, Logan
Bagge	Hildre	Schmidt, Morton
Baumgartner	Hogoboom	Schnell
Belzer	Isaak	Schwartz
Benno	Jennings	Sellens
Bjella	Johnson, Cass	Shockman
Blair	Langley	Skaar
Bolmeier	Leet	Stanley
Boucher	Levin	Sticka
Bymers	Luick	Still
Callahan	Lysne	Stormon
Dalzell	McInnes	Symington
Devlin	Moerke	Thompson, Richl'nd
Dittmer	Monson	Tuff
Drawz	Mork	Wambheim
Drovdal	Mortenson	Welk
Engel	Nystrom	Wolf, McIntosh
Frank	Ohnstad	Wolf, Morton
Fraser	Rohrer	Wollitz
Gainor	Sailer	Yirchott
Grenier	Saumur	Mr. Speaker
Haag		

Absent and not voting:

Allen, Pierce	Graham	Mollet
Brady	Halcrow	Olson, Barnes
Bubel	Haugland	Olson, Bowman
Bureau	Heckman	Ostgulen
Collette	Hofstrand	Pyle
Crockett	Hovey	Sandness
Ekren	Johnson, Richland	Seibel
Esterby	Klefstad	Severson
Falconer	Larson	Sharpe
Fitch	Lillehaugen	Smart
Fleck	Lindberg	Stair
Forseth	Maher	Thompson, Griggs
Fuglestad	Moe	Westby

So the bill passed as amended and the title was agreed to.

Rep. Drovdal moved that the House Recess until 7:00 o'clock tonight, which motion prevailed.

The House reconvened at 7:00 o'clock p.m., pursuant to recess taken, Speaker Bergesen presiding.

### SECOND READING OF SENATE BILLS

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 0; absent and not voting, 29.

Those voting in the affirmative were:

Acheson	Halvorson	Sailer
Allen, Pierce	Haugen	Sandness
Anderson	Haugland	Schlafmann
Arndt	Heckman	Schmalenberger
Bagge	Herk	Schmidt, Logan
Baumgartner	Hildre	Schmidt, Morton
Belzer	Hogoboom	Schnell
Blair	Hovey	Schwartz
Bolmeier	Isaak	Seibel
Boucher	Jennings	Sellens
Brady	Langley	Severson
Bureau	Leet	Sharpe
Bymers	Lillehaugen	Shockman
Callahan	Lindberg	Skaar
Collette	Luick	Sticka
Dalzell	Lysne	Still
Devlin	McInnes	Symington
Dittmer	Maher	Thompson, Griggs
Drawz	Moe	Thompson, Rich'nd
Drovdal	Moerke	Tuff
Engel	Mollet	Wambheim
Falconer	Mork	Welk
Frank	Mortenson	Westby
Fuglestad	Nystrom	Wolf, McIntosh
Gainor	Ohnstad	Wolf, Morton
Grenier	Olson, Barnes	Yirchott
Haag	Ostgulen	Mr. Speaker
Halcrow	Rohrer	

Absent and not voting:

Allen, Grand Forks	Fraser	Olson, Bowman
Benno	Graham	Pyle
Bjella	Hegge	Saumur
Bubel	Hofstrand	Schimke
Crockett	Johnson, Cass	Smart
Ekren	Johnson, Richland	Stair
Esterby	Klefstad	Stanley
Fitch	Larson	Stormon
Fleck	Levin	Wollitz
Forseth	Monson	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of

1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 1; absent and not voting, 21.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugen	Schlafmann
Bagge	Haugland	Schmalenberger
Baumgartner	Heckman	Schmidt, Logan
Belzer	Herk	Schmidt, Morton
Bjella	Hildre	Schnell
Bolmeier	Hogoboom	Schwartz
Blair	Hovey	Seibel
Boucher	Isaak	Sellens
Brady	Jennings	Severson
Bureau	Johnson, Richland	Sharpe
Bymers	Langley	Shockman
Callahan	Leet	Skaar
Collette	Lysne	Stanley
Dalzell	Lillehaugen	Sticka
Devlin	Lindberg	Still
Dittmer	Luick	Symington
Drawz	McInnes	Thompson, Griggs
Drovdal	Maher	Thompson, Richl'nd
Engel	Moe	Tuff
Esterby	Moerke	Wambheim
Falconer	Mollet	Welk
Fleck	Mortenson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Nystrom	Wolf, Morton
Fraser	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Yirchott
Gainor	Ostgulen	Mr. Speaker

Those voting in the negative were:

Grenier

Absent and not voting:

Allen, Grand Forks	Hegge	Olson, Bowman
Benno	Hofstrand	Pyle
Bubel	Johnson, Cass	Saumur
Crockett	Klefstad	Schimke
Ekren	Larson	Smart
Fitch	Levin	Stair
Graham	Monson	Stormon

So the bill passed as amended and the title was agreed to.

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 20; absent and not voting, 16.

Those voting in the affirmative were:

Acheson	Forseth	Olson, Barnes
Allen, Grand Forks	Fuglestad	Rohrer
Allen, Pierce	Gainor	Sailer
Anderson	Grenier	Sandness
Arndt	Halcrow	Schlafmann
Baumgartner	Haugen	Schmidt, Morton
Belzer	Haugland	Schnell
Bjella	Heckman	Sellens
Boucher	Herk	Severson
Bagge	Hildre	Sharpe
Benno	Hogoboom	Shockman
Blair	Hovey	Skaar
Bolmeier	Jennings	Smart
Brady	Johnson, Richland	Stanley
Bureau	Langley	Sticka
Bymers	Leet	Still
Callahan	Luick	Symington
Collette	Lysne	Thompson, Griggs
Dalzell	McInnes	Wambheim
Devlin	Maher	Welk
Dittmer	Mollet	Westby
Drawz	Mork	Wolf, Morton
Drovdal	Mortenson	Wollitz
Esterby	Nystrom	Yirchott
Falconer	Ohnstad	Mr. Speaker
Fleck		

Those voting in the negative were:

Engel	Lillehaugen	Schmidt, Logan
Frank	Lindberg	Schwartz
Fraser	Moe	Seibel
Haag	Moerke	Thompson, Rich'nd
Halvorson	Monson	Tuff
Isaak	Ostgulen	Wolf, McIntosh
Levin	Schmalenberger	

Absent and not voting:

Bubel	Hofstrand	Pyle
Crockett	Johnson, Cass	Saumur
Ekren	Klefstad	Schimke
Fitch	Larson	Stair
Graham	Olson, Bowman	Stormon
Hegge		

So the bill as amended passed and the title was agreed to and the emergency clause was declared carried.

Senate Bill No. 152. A Bill for an Act to Provide for the Disposition of Any Unclaimed Funds in the Custody of Any Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugen	Saumur
Arndt	Haugland	Schlafmann
Bagge	Heckman	Schmalenberger
Baumgartner	Herk	Schmidt, Logan
Belzer	Hildre	Schmidt, Morton
Benno	Hogoboom	Schnell
Bjella	Hovey	Schwartz
Blair	Isaak	Seibel
Bolmeier	Jennings	Sellens
Boucher	Johnson, Cass	Severson
Brady	Johnson, Richland	Sharpe
Burau	Langley	Shockman
Bymers	Leet	Skaar
Callahan	Levin	Smart
Collette	Lillehaugen	Stanley
Dalzell	Lindberg	Sticka
Devlin	Luick	Still
Dittmer	Lysne	Stormon
Drawz	McInnes	Symington
Drovdal	Maher	Thompson, Griggs
Engel	Moe	Thompson, Rich'nd
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Fleck	Monson	Welk
Forseth	Mork	Westby
Frank	Mortenson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Fuglestad	Ohnstad	Wollitz
Gainor	Olson, Barnes	Yirchott
Grenier	Ostgulen	Mr. Speaker
Absent and not voting:		
Bubel	Hegge	Olson, Bowman
Crockett	Hofstrand	Pyle
Ekren	Klefstad	Schimke
Fitch	Larson	Stair
Graham		

So the bill as amended passed and the title was agreed to and the emergency clause was declared carried.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 4; absent and not voting, 13.

## Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugen	Saumur
Arndt	Haugland	Schlafmann
Bagge	Hegge	Schmalenberger
Baumgartner	Herk	Schmidt, Morton
Belzer	Hildre	Schnell
Benno	Hogoboom	Schwartz
Bjella	Hovey	Seibel
Blair	Isaak	Sellens
Bolmeier	Jennings	Severson
Boucher	Johnson, Cass	Sharpe
Brady	Johnson, Richland	Shockman
Burau	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Leet	Stanley
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Engel	McInnes	Thompson, Richland
Esterby	Maher	Tuff
Falconer	Moe	Wambheim
Fleck	Moerke	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Grenier	Ostgulen	

## Those voting in the negative were:

Mollet	Schmidt, Logan	Wolf, McIntosh
Mortenson		

## Absent and not voting:

Bubel	Graham	Olson, Bowman
Bymers	Heckman	Pyle
Crockett	Hofstrand	Schimke
Ekren	Larson	Stair
Fitch		

So the bill passed, as amended, and the title was agreed to and the emergency clause was declared carried.

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 11; absent and not voting, 11.

## Those voting in the affirmative were:

Acheson	Gainor	Rohrer
Allen, Grand Forks	Grenier	Sailer

Allen, Pierce	Haag	Sandness
Anderson	Halcrow	Saumur
Arndt	Halvorson	Schimke
Bagge	Haugen	Schlafmann
Baumgartner	Haugland	Schmalenberger
Belzer	Hegge	Schmidt, Logan
Benno	Herk	Schmidt, Morton
Bjella	Hildre	Schnell
Blair	Hogoboom	Schwartz
Bolmeier	Hovey	Sellens
Boucher	Isaak	Seibel
Brady	Jennings	Severson
Burau	Johnson, Cass	Sharpe
Callahan	Johnson, Richland	Skaar
Collette	Klefstad	Smart
Dalzell	Langley	Stanley
Devlin	Leet	Sticka
Dittmer	Lillehaugen	Still
Drovdal	Lindberg	Stormon
Drawz	Luick	Symington
Engel	Lysne	Thompson, Griggs
Esterby	McInnes	Wambheim
Falconer	Maher	Welk
Fleck	Mortenson	Westby
Forseth	Nystrom	Wolf, Morton
Frank	Ohnstad	Wollitz
Fraser	Olson, Barnes	Yirchott
Fuglestad	Ostgulen	Mr. Speaker

Those voting in the negative were:

Crockett	Mollet	Thompson, Richl'nd
Levin	Monson	Tuff
Moe	Mork	Wolf, McIntosh
Moerke	Shockman	

Absent and not voting:

Bubel	Graham	Olson, Bowman
Bymers	Heckman	Pyle
Ekren	Hofstrand	Stair
Fitch	Larson	

So the bill passed and the title was agreed to.

Rep. Crockett: I wish to explain my vote and have it recorded. I think this is one of the most vicious bills introduced in this session. It does away with the appeal and is very misleading. I vote "no".

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Foreclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, 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, 68; nays, 36; absent and not voting, 8.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schnell
Benno	Hildre	Sellens
Bjella	Hogoboom	Severson
Blair	Hovey	Sharpe
Bolmeier	Jennings	Skaar
Brady	Johnson, Cass	Smart
Burau	Johnson, Richland	Stanley
Bymers	Klefstad	Sticka
Callahan	Langley	Still
Collette	Larson	Stormon
Dalzell	Leet	Symington
Devlin	Luick	Thompson, Griggs
Dittmer	Lysne	Wambheim
Drawz	McInnes	Westby
Falconer	Maher	Wollitz
Fleck	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor	Olson, Barnes	

Those voting in the negative were:

Acheson	Halvorson	Rohrer
Anderson	Isaak	Schimke
Boucher	Levin	Schmidt, Logan
Crockett	Lillehaugen	Schmidt, Morton
Drovdal	Lindberg	Schwartz
Engel	Moe	Seibel
Esterby	Moerke	Shockman
Forseth	Mollet	Thompson, Richl'nd
Frank	Monson	Tuff
Fraser	Mork	Welk
Grenier	Mortenson	Wolf, McIntosh
Haag	Ostgulen	Wolf, Morton

Absent and not voting:

Bubel	Graham	Pyle
Ekren	Hofstrand	Stair
Fitch	Olson, Bowman	

So the bill passed as amended and the title was agreed to, and the emergency clause was declared lost.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 56; absent and not voting, 8.

Those voting in the affirmative were:

Allen, Pierce	Gainor	Sailer
Arndt	Halcrow	Sandness
Bagge	Heckman	Saumur
Benno	Herk	Sellens
Bjella	Hildre	Severson
Blair	Hogboom	Sharpe
Bolmeier	Hovey	Skaar
Brady	Johnson, Richland	Smart
Burau	Langley	Stanley
Bymers	Leet	Sticka
Collette	Lillehaugen	Stormon
Devlin	Luick	Symington
Dittmer	Lysne	Wambheim
Drawz	McInnes	Westby
Fleck	Nystrom	Wollitz
Fuglestad	Olson, Barnes	Yirchott

Those voting in the negative were:

Acheson	Halvorson	Rohrer
Allen, Grand Forks	Haugen	Schimke
Anderson	Haugland	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Isaak	Schmidt, Logan
Boucher	Jennings	Schmidt, Morton
Bubel	Johnson, Cass	Schnell
Callahan	Klefstad	Schwartz
Crockett	Larson	Seibel
Dalzell	Levin	Shockman
Drovdal	Lindberg	Still
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Richl'nd
Falconer	Moerke	Tuff
Forseth	Mollet	Welk
Frank	Monson	Wolf, McIntosh
Fraser	Mork	Wolf, Morton
Grenier	Mortenson	Mr. Speaker
Haag	Ostgulen	

Absent and not voting:

Ekren	Hofstrand	Pyle
Fitch	Ohnstad	Stair
Graham	Olson, Bowman	

So the bill was lost.

Rep. Bergesen: I will vote "no" on this bill for the purpose of reconsideration. This is a good bill. It does not have in it what Rep. Crockett fears it has. It should pass.

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 54; nays, 51; absent and not voting, 7.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Sailer
Allen, Pierce	Halcrow	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Sellens
Benno	Herk	Severson
Bjella	Hildre	Sharpe
Blair	Hogoboom	Skaar
Bolmeier	Hovey	Smart
Brady	Johnson, Richland	Stanley
Bymers	Klefstad	Sticka
Callahan	Langley	Still
Collette	Leet	Stormon
Dalzell	Luick	Symington
Devlin	Lysne	Thompson, Griggs
Drawz	McInnes	Wambheim
Ekren	Moe	Westby
Fleck	Nystrom	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Acheson	Haag	Mortenson
Anderson	Halvorson	Ostgulen
Baumgartner	Haugen	Rohrer
Belzer	Hegge	Schimke
Boucher	Hofstrand	Schlafmann
Bubel	Isaak	Schmalenberger
Burau	Jennings	Schmidt, Logan
Crockett	Johnson, Cass	Schmidt, Morton
Dittmer	Larson	Schnell
Drovdal	Levin	Schwartz
Engel	Lillehaugen	Seibel
Esterby	Lindberg	Shockman
Falconer	Maher	Thompson, Rich'nd
Forseth	Moerke	Tuff
Frank	Mollet	Welk
Fraser	Monson	Wolf, McIntosh
Grenier	Mork	Wolf, Morton

Absent and not voting:

Fitch	Olson, Bowman	Stair
Graham	Pyle	Wollitz
Ohnstad		

So the bill was declared lost.

Rep. Johnson of Richland voted "aye" for the purpose of reconsideration.

Rep. Johnson of Cass changes his vote from "aye" to "nay" for the purpose of reconsideration.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 68; nays, 36; absent and not voting, 8.

Those voting in the affirmative were:

Allen, Grand Forks	Fuglestad	Nystrom
Allen, Pierce	Gainor	Olson, Barnes
Arndt	Grenier	Ostgulen
Bagge	Halcrow	Sailer
Benno	Haugland	Sandness
Bjella	Heckman	Saumur
Blair	Herk	Schlafmann
Bolmeier	Hildre	Sellens
Boucher	Hogoboom	Severson
Brady	Hofstrand	Sharpe
Burau	Hovey	Shockman
Bymers	Isaak	Smart
Callahan	Johnson, Cass	Stanley
Collette	Johnson, Richland	Still
Dalzell	Langley	Stormon
Devlin	Larson	Symington
Dittmer	Leet	Thompson, Griggs
Drawz	Lillehaugen	Wambheim
Drovdal	Luick	Westby
Ekren	Lysne	Wollitz
Esterby	McInnes	Yirchott
Falconer	Maher	Mr. Speaker
Fleck	Moe	

Those voting in the negative were:

Acheson	Hegge	Schmidt, Logan
Anderson	Jennings	Schmidt, Morton
Baumgartner	Levin	Schnell
Belzer	Lindberg	Schwartz
Bubel	Moerke	Seibel
Crockett	Mollet	Skaar
Engel	Monson	Sticka
Frank	Mork	Thompson, Richl'nd
Fraser	Mortenson	Tuff
Haag	Rohrer	Welk
Halvorson	Schimke	Wolf, McIntosh
Haugen	Schmalenberger	Wolf, Morton

Absent and not voting:

Fitch	Klefstad	Pyle
Forseth	Ohnstad	Stair
Graham	Olson, Bowman	

So the bill passed as amended and the title was agreed to. Rep. Moe moved that the vote by which Senate Bill No. 188 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943 Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed and Providing for Refund to Purchaser in the Event of an Adverse Decision.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 6; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Grenier	Rohrer
Allen, Grand Forks	Halcrow	Sailer

Allen, Pierce	Halvorson	Sandness
Anderson	Haugland	Saumur
Arndt	Heckman	Schimke
Bagge	Hegge	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Morton
Benno	Hofstrand	Schnell
Bjella	Hogoboom	Schwartz
Blair	Hovey	Seibel
Bolmeier	Isaak	Sellens
Boucher	Jennings	Severson
Brady	Johnson, Cass	Sharpe
Bubel	Johnson, Richland	Shockman
Burau	Klefstad	Skaar
Bymers	Langley	Smart
Callahan	Larson	Stanley
Collette	Leet	Sticka
Daizell	Lillehaugen	Still
Devlin	Luick	Stormon
Dittmer	Lysne	Symington
Drawz	McInnes	Thompson, Griggs
Drovdal	Maher	Thompson, Rich'nd
Ekren	Moe	Tuff
Engel	Moerke	Wambheim
Esterby	Mollet	Welk
Falconer	Monson	Westby
Fleck	Mork	Wolf, Morton
Frank	Mortenson	Wollitz
Fraser	Nystrom	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Gainor	Ostgulen	

Those voting in the negative were:

Crockett	Levin	Schmidt, Logan
Haag	Lindberg	Wolf, McIntosh

Absent and not voting:

Fitch	Haugen	Pyle
Forseth	Ohnstad	Stair
Graham	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

Rep. Johnson of Richland moved to amend the title to Senate Bill No. 178 by striking out the period at the end of the title and adding the following: "and providing for refund to purchaser in the event of an adverse decision." Which motion unanimously prevailed.

Senate Bill No. 51. A Bill for an Act Amending and Re-enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 9; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Haugen	Sandness
Anderson	Haugland	Saumur

Arndt	Hegge	Schimke
Bagge	Herk	Schlafmann
Baumgartner	Hildre	Schmalenberger
Belzer	Hogoboom	Schmidt, Morton
Benno	Hovey	Schnell
Bjella	Isaak	Seibel
Blair	Jennings	Sellens
Bolmeier	Johnson, Cass	Severson
Boucher	Johnson, Richland	Sharpe
Brady	Klefstad	Shockman
Burau	Langley	Skaar
Callahan	Larson	Smart
Collette	Leet	Stanley
Crockett	Levin	Sticka
Dalzell	Lillehaugen	Still
Devlin	Lindberg	Stormon
Dittmer	Luick	Symington
Drawz	Lysne	Thompson, Griggs
Drovdal	McInnes	Thompson, Richl'nd
Ekren	Maher	Tuff
Engel	Moe	Wambheim
Esterby	Moerke	Welk
Falconer	Mollet	Wolf, McIntosh
Fleck	Monson	Wolf, Morton
Frank	Mork	Wollitz
Fraser	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor	Olson, Barnes	

Those voting in the negative were:

Bubel	Hofstrand	Schmidt, Logan
Haag	Mortenson	Schwartz
Halvorson	Rohrer	Westby

Absent and not voting:

Bymers	Graham	Pyle
Fitch	Heckman	Stair
Forseth	Olson, Bowman	

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Halcrow	Ostgulen
Allen, Grand Forks	Halvorson	Rohrer
Allen, Pierce	Haugen	Sailer
Anderson	Haugland	Sandness
Arndt	Heckman	Saumur
Bagge	Hegge	Schimke
Baumgartner	Herk	Schlafmann
Belzer	Hildre	Schmalenberger
Benno	Hofstrand	Schmidt, Logan
Bjella	Hogoboom	Schmidt, Morton

Blair	Hovey	Schnell
Bolmeier	Isaak	Schwartz
Boucher	Jennings	Seibel
Brady	Johnson, Cass	Sellens
Bubel	Johnson, Richland	Severson
Bureau	Klefstad	Sharpe
Bymers	Langley	Shockman
Callahan	Larson	Skaar
Collette	Leet	Smart
Crockett	Levin	Stanley
Dalzell	Lillehaugen	Sticka
Devlin	Lindberg	Still
Dittmer	Luick	Stormon
Drawz	Lysne	Symington
Drovdal	McInnes	Thompson, Griggs
Ekren	Maher	Thompson, Rich'nd
Engel	Moe	Tuff
Esterby	Moerke	Wambheim
Falconer	Mollet	Welk
Fleck	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Grenier	Olson, Barnes	Mr. Speaker
Haag		

Absent and not voting:

Fitch	Graham	Pyle
Forseth	Olson, Bowman	Stair

So the bill passed as amended and the title was agreed to.

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 53; nays, 54; absent and not voting, 5.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Sandness
Allen, Pierce	Halcrow	Saumur
Arndt	Hildre	Sellens
Bagge	Hogoboom	Severson
Benno	Hovey	Sharpe
Bjella	Jennings	Skaar
Blair	Klefstad	Smart
Bolmeier	Langley	Stanley
Brady	Leet	Still
Bymers	Lillehaugen	Stormon
Callahan	Luick	Symington
Collette	Lysne	Thompson, Griggs
Dalzell	McInnes	Wambheim
Drawz	Moe	Westby
Ekren	Nystrom	Wollitz
Falconer	Ohnstad	Yirchott

Fleck	Olson, Barnes	Mr. Speaker
Fuglestad	Sailer	
Those voting in the negative were:		
Acheson	Halvorson	Mortenson
Anderson	Haugen	Ostgulen
Baumgartner	Haugland	Rohrer
Belzer	Heckman	Schimke
Boucher	Hegge	Schlafmann
Bubel	Herk	Schmalenberger
Burau	Hofstrand	Schmidt, Logan
Crockett	Isaak	Schmidt, Morton
Devlin	Johnson, Cass	Schnell
Dittmer	Johnson, Richland	Schwartz
Drovdal	Larson	Seibel
Engel	Levin	Shockman
Esterby	Lindberg	Sticka
Forseth	Maher	Thompson, Rich'nd
Frank	Moerke	Tuff
Fraser	Mollet	Welk
Grenier	Monson	Wolf, McIntosh
Haag	Mork	Wolf, Morton
Absent and not voting:		
Fitch	Olson, Bowman	Stair
Graham	Pyle	

So the bill was declared lost.

Rep. Johnson of Richland voted "no" for the purpose of reconsideration.

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Section 65-0202, of the North Dakota Revised Code of 1943, Pertaining to Oath of Office; Salary.

Was read the second time.

Rep. Crockett moved that House Bill No. 202 be indefinitely postponed, which motion prevailed.

Rep. Crockett moved that the vote by which Senate Bill No. 202 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Was 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, 14; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Grenier	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Halvorson	Ostgulen
Anderson	Haugen	Rohrer
Arndt	Haugland	Sailer
Bagge	Heckman	Sandness
Baumgartner	Hegge	Schimke
Belzer	Herk	Saumur



Benno	Hildre	Schlafmann
Bjella	Hofstrand	Schmalenberger
Blair	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Schnell
Boucher	Jennings	Sellens
Brady	Johnson, Cass	Severson
Bubel	Johnson, Richland	Sharpe
Burau	Klefstad	Skaar
Bymers	Langley	Smart
Collette	Larson	Stanley
Dalzell	Leet	Sticka
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Ekren	Maher	Wambheim
Esterby	McInnes	Welk
Falconer	Moerke	Westby
Forseth	Mollet	Wolf, Morton
Fraser	Monson	Wollitz
Frank	Mork	Yirchott
Fuglestad	Mortenson	Mr. Speaker
Gainor	Nystrom	
Those voting in the negative were:		
Callahan	Levin	Shockman
Crockett	Moe	Thompson, Rich'nd
Engel	Schmidt, Logan	Tuff
Haag	Schwartz	Wolf, McIntosh
Isaak	Seibel	

Absent and not voting:

Fitch	Graham	Pyle
Fleck	Olson, Bowman	Stair

So the bill passed and the title was agreed to.

Rep. Belzer moved that the vote by which Senate Bill No. 141 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 30 of the Authenticated Edition of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly (House Bill 24) Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Grenier	Ohnstad
Allen, Grand Forks	Haag	Olson, Barnes
Allen, Pierce	Halcrow	Ostgulen
Anderson	Halvorson	Rohrer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur

Baumgartner	Heckman	Schimke
Belzer	Hegge	Schlafmann
Benno	Herk	Schmalenberger
Ejella	Hildre	Schmidt, Logan
Blair	Hofstrand	Schmidt, Morton
Bolmeier	Hogoboom	Schnell
Boucher	Hovey	Schwartz
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Sellens
Bureau	Johnson, Richland	Severson
Bymers	Klefstad	Sharpe
Callahan	Langley	Shockman
Collette	Larson	Skaar
Crockett	Leet	Smart
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Lysne	Symington
Drovdal	Luick	Thompson, Griggs
Ekren	McInnes	Tuff
Engel	Maher	Wambheim
Esterby	Moe	Welk
Falconer	Moerke	Westby
Fleck	Mollet	Wolf, Morton
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wollitz
Fraser	Mortenson	Yirchott
Fuglestad	Nystrom	Mr. Speaker
Gainor		

Those voting in the negative were:

Isaak

Absent and not voting:

Fitch	Pyle	Stanley
Graham	Sailer	Thompson, Richl'nd
Olson, Bowman	Stair	

So the bill passed as amended and the title was agreed to and the emergency clause was declared carried.

Senate Concurrent Resolution No. 14. A Concurrent Resolution Memorializing Congress of the United States of America and the War Department to Utilize the Facilities Available at Fort Lincoln, North Dakota in the Readjustment Program Following the War.

Was read the second time.

Rep. Welk moved that Senate Concurrent Resolution No. 14 be adopted, which motion prevailed and Senate Concurrent Resolution No. 14 was adopted.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 79; nays, 19; absent and not voting, 14.

Those voting in the affirmative were:

Acheson	Fuglestad	Moerke
Allen, Grand Forks	Gainor	Monson
Allen, Pierce	Grenier	Mork
Arndt	Haag	Nystrom
Belzer	Halcrow	Ohnstad
Benno	Halvorson	Olson, Barnes
Bjella	Haugen	Ostgulen
Blair	Haugland	Rohrer
Bolmeier	Heckman	Sailer
Boucher	Hegge	Sandness
Brady	Herk	Saumur
Burau	Hildre	Sellens
Bymers	Hofstrand	Severson
Callahan	Hogoboom	Sharpe
Collette	Hovey	Skaar
Dalzell	Jennings	Smart
Devlin	Johnson, Richland	Stanley
Dittmer	Langley	Sticka
Drawz	Larson	Still
Ekren	Leet	Stormon
Engel	Lillehaugen	Symington
Esterby	Lindberg	Westby
Falconer	Luick	Wolf, Morton
Fleck	Lysne	Wollitz
Forseth	Maher	Yirchott
Frank	Moe	Mr. Speaker
Fraser		

Those voting in the negative were:

Anderson	Schimke	Schwartz
Baumgartner	Schlafmann	Seibel
Bubel	Schmalenberger	Shockman
Crockett	Schmidt, Logan	Tuff
Isaak	Schmidt, Morton	Welk
Mollet	Schnell	Wolf, McIntosh
Mortenson		

Absent and not voting:

Bagge	Klefstad	Stair
Drovdal	Levin	Thompson, Griggs
Fitch	McInnes	Thompson, Richl'nd
Graham	Olson, Bowman	Wambheim
Johnson, Cass	Pyle	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Crockett moved that the rules be suspended and Senate Bills Nos. 6, 146, 24, 12, 8 and 71 be placed on second reading and final passage, which motion prevailed.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 88; nays, 13; absent and not voting, 11.

Those voting in the affirmative were:

Acheson	Gainor	Olson, Barnes
Allen, Grand Forks	Grenier	Ostgulen
Allen, Pierce	Haag	Rohrer
Anderson	Halcrow	Sailer
Arndt	Halvorson	Saumur
Baumgartner	Haugland	Schimke
Belzer	Heckman	Schlafmann
Benno	Hegge	Schmalenberger
Bjella	Herk	Schmidt, Morton
Blair	Hildre	Schnell
Bolmeier	Hofstrand	Sellens
Boucher	Hogoboom	Severson
Brady	Hovey	Sharpe
Bubel	Isaak	Skaar
Burau	Johnson, Cass	Smart
Bymers	Johnson, Richland	Stanley
Callahan	Langley	Sticka
Collette	Larson	Still
Dalzell	Leet	Stormon
Devlin	Lillehaugen	Symington
Dittmer	Lindberg	Thompson, Griggs
Drawz	Luick	Thompson, Richland
Drovdal	Lysne	Welk
Ekren	Maher	Westby
Esterby	Monson	Wolf, McIntosh
Falconer	Mork	Wolf, Morton
Fitch	Mortenson	Wollitz
Forseth	Nystrom	Yirchott
Fraser	Ohnstad	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Crockett	Moe	Schwartz
Engel	Moerke	Seibel
Frank	Mollet	Shockman
Haugen	Schmidt, Logan	Tuff
Jennings		

Absent and not voting:

Bagge	Levin	Sandness
Fleck	McInnes	Stair
Graham	Olson, Bowman	Wambheim
Klefstad	Pyle	

So the bill passed as amended and the title was agreed to.

Rep. Collette moved that the vote by which Senate Bill No. 6 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugen	Saumur
Arndt	Haugland	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sellens
Bubel	Jennings	Severson
Burau	Johnson, Cass	Sharpe
Bymers	Johnson, Richland	Shockman
Callahan	Langley	Skaar
Collette	Larson	Smart
Crockett	Leet	Stanley
Dalzell	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Lysne	Symington
Ekren	Maher	Thompson, Griggs
Engel	Moe	Thompson, Richland
Esterby	Moerke	Tuff
Falconer	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Grenier		

Absent and not voting:

Bagge	Klefstad	Pyle
Devlin	Luick	Sailer
Fitch	McInnes	Stair
Graham	Olson, Bowman	Wambheim

So the bill passed as amended and the title was agreed to.

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 1; absent and not voting, 13.

Those voting in the affirmative were:

Acheson	Halcrow	Sailer
Allen, Grand Forks	Halvorson	Sandness
Allen, Pierce	Haugen	Saumur
Anderson	Haugland	Schimke
Arndt	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Herk	Schmidt, Logan

Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogoboom	Schwartz
Bolmeier	Hovey	Seibel
Boucher	Isaak	Sellens
Brady	Jennings	Severson
Bubel	Johnson, Cass	Sharpe
Bureau	Langley	Shockman
Bymers	Larson	Skaar
Callahan	Levin	Smart
Collette	Lillehaugen	Stanley
Crockett	Lindberg	Sticka
Dalzell	Luick	Still
Dittmer	Lysne	Stormon
Drawz	Maher	Symington
Drovdal	Moe	Thompson, Griggs
Ekren	Moerke	Thompson, Rich'nd
Engel	Mollet	Tuff
Esterby	Monson	Welk
Falconer	Mork	Westby
Fleck	Mortenson	Wolf, McIntosh
Forseth	Nystrom	Wolf, Morton
Fraser	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Yirchott
Gainor	Ostgulen	Mr. Speaker
Grenier	Rohrer	

Those voting in the negative were:

Frank

Absent and not voting:

Bagge	Johnson, Richland	Olson, Bowman
Devlin	Klefstad	Pyle
Fitch	Leet	Stair
Graham	McInnes	Wambheim
Haag		

So the bill passed as amended and the title was agreed to. Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 1; absent and not voting, 12.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Baumgartner	Haugland	Schimke
Belzer	Heckman	Schlafmann
Benno	Hegge	Schmalenberger
Bjella	Herk	Schmidt, Logan
Blair	Hildre	Schmidt, Morton
Bolmeier	Hofstrand	Schnell

Boucher	Hogoboom	Schwartz
Brady	Hovey	Seibel
Bubel	Isaak	Sellens
Burau	Jennings	Severson
Bymers	Johnson, Cass	Sharpe
Callahan	Johnson, Richland	Shockman
Collette	Langley	Skaar
Crockett	Larson	Smart
Dalzell	Leet	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moerke	Tuff
Falconer	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Thompson, Richl'nd

Absent and not voting:

Bagge	Klefstad	Olson, Bowman
Devlin	Levin	Pyle
Fitch	McInnes	Stair
Graham	Moe	Wambheim

So the bill passed as amended and the title was agreed to.

Senate Bill No. 8. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 14; absent and not voting, 14.

Those voting in the affirmative were:

Acheson	Fuglestad	Olson, Barnes
Allen, Grand Forks	Gainor	Ostgulen
Allen, Pierce	Grenier	Rohrer
Anderson	Halcrow	Sailer
Arndt	Halvorson	Sandness
Baumgartner	Haugland	Saumur
Belzer	Heckman	Schimke
Benno	Hegge	Schlafmann
Bjella	Herk	Schmalenberger
Blair	Hildre	Schmidt, Morton
Bolmeier	Hofstrand	Schnell
Boucher	Hogoboom	Schwartz
Brady	Hovey	Sellens
Burau	Isaak	Sharpe

Bymers	Johnson, Cass	Skaar
Callahan	Langley	Smart
Collette	Larson	Stanley
Crockett	Leet	Sticka
Dalzell	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Ekren	Maher	Welk
Esterby	Monson	Westby
Falconer	Mork	Wolf, Morton
Fleck	Mortenson	Wollitz
Forseth	Nystrom	Yirchott
Fraser	Ohnstad	Mr. Speaker
Those voting in the negative were:		
Bubel	Jennings	Shockman
Engel	Moerke	Thompson, Rich'lnd
Frank	Mollet	Tuff
Haag	Schmidt, Logan	Wolf, McIntosh
Haugen	Seibel	
Absent and not voting:		
Bagge	Klefstad	Pyle
Devlin	Levin	Severson
Fitch	McInnes	Stair
Graham	Moe	Wambheim
Johnson, Richland	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:		
Acheson	Halcrow	Rohrer
Allen, Pierce	Halvorson	Sailer
Allen, Grand Forks	Haugen	Sandness
Anderson	Haugland	Saumur
Bagge	Heckman	Schimke
Baumgartner	Hegge	Schlafmann
Belzer	Herk	Schmalenberger
Benno	Hildre	Schmidt, Logan
Bjella	Hogoboom	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hovey	Schwartz
Boucher	Isaak	Seibel
Brady	Jennings	Sellens
Bubel	Johnson, Cass	Severson
Burau	Johnson, Richland	Sharpe
Bymers	Langley	Shockman
Callahan	Larson	Skaar
Collette	Lillehaugen	Smart



Crockett	Leet	Stanley
Dalzell	Levin	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	Maher	Thompson, Griggs
Engel	Moerke	Thompson, Richl'nd
Esterby	Mollet	Tuff
Falconer	Monson	Welk
Fraser	Mork	Westby
Fleck	Mortenson	Wolf, McIntosh
Forseth	Nystrom	Wolf, Morton
Frank	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Yirchott
Grenier	Ostgulen	Mr. Speaker
Haag		
Absent and not voting:		
Arndt	Graham	Olson, Bowman
Devlin	Klefstad	Pyle
Fitch	McInnes	Stair
Gainor	Moe	Wambheim

So the bill passed as amended and the title was agreed to and the emergency clause was declared carried.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Temperance to whom was referred Senate Bill No. 109, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Pierce, Chairman.

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Temperance to whom was referred Senate Bill No. 132, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Pierce, Chairman.

Rep. Fuglestad moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bolmeier moved that the House recess until 1:00 o'clock p.m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

FIFTY-SIXTH DAY AFTER RECESS  
AND FIFTY-SEVENTH DAY

Bismarck, February 27, 1945

The House reconvened at 1:00 o'clock p.m., pursuant to recess taken, Speaker Bergesen presiding.

MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code of 1943 Relating to Cooperative Associations and the Purposes of Organization.

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Which the House has passed unchanged except the emergency clause lost on Senate Bill No. 133.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Section 65-0202, of the North Dakota Revised Code of 1943, Pertaining to Oath of Office; Salary.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943 Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed and Providing for Refund to Purchaser in the Event of an Adverse Decision.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 8. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same on the Capitol Grounds in the City of Bismarck, North Dakota.

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State

Aeronautics Committee of North Dakota as Its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Creating an Emergency.

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 4.  
House Bill No. 9.  
House Bill No. 10.  
House Bill No. 12.  
House Bill No. 46.  
House Bill No. 65.  
House Bill No. 80.  
House Bill No. 100.  
House Bill No. 127.  
House Bill No. 136.  
House Bill No. 187.  
House Bill No. 200.  
House Bill No. 242.  
House Bill No. 248.  
House Bill No. 281.  
House Joint Resolution No. 1.  
House Concurrent Resolution "D".  
House Concurrent Resolution "K".

House Concurrent Resolution "V".  
 House Concurrent Resolution "Y".  
 And find the same correctly Enrolled.

REP. LEET, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Banks and Banking to whom was referred Senate Bill No. 167, have had the same under consideration and recommend that the same do pass.

REP. CALLAHAN, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Federal Relations to whom was referred Senate Bill No. 175, have had the same under consideration and recommend that the same do pass.

REP. HOVEY, Chairman.

Rep. Maher moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Federal Relations to whom was referred Senate Bill No. 110, have had the same under consideration and recommend that the same do pass.

REP. HOVEY, Chairman.

Rep. Yirchott moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Livestock to whom was referred Senate Bill No. 189, have had the same under consideration and recommend that the same do pass.

REP. SCHNELL, Chairman.

Rep. Halvorson moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, February 27, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Compensation of the Chief Engineer of the State Highway Department.

Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

Senate Bill No. 177. A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 182. A Bill for an Act to Amend and Re-Enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

Senate Concurrent Resolution No. 7. A Concurrent Resolution Memorializing Congress of the United States with Reference to Changes in the Social Security Acts.

Senate Concurrent Resolution No. 15.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 73, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 36, have had the same under consideration and recommend that the same be amended as follows:

Line 22—After the words "a voucher sworn" change the word "bo" to read "to".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Sticka moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. McInnes moved that the rules be suspended and Senate Bill No. 36 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 36 placed on the Calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 32, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. 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. 22, have had the same under consideration and recommend that the same be amended as follows:

Line 3—Strike out the figures "\$31,400.00" and insert in lieu thereof the figures "\$45,700.00".

Line 9—Strike out the figures "\$6,600.00" and insert in lieu thereof the figures "\$8,400.00".

Line 10—Change the word "Ass't" to read "Assistant" and strike out the figures "4,800.00" and insert in lieu thereof the figures "9,600.00".

Line 11—Strike out the figures "10,000.00" and insert in lieu thereof the figures "12,000.00".

Line 12—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture" and strike out the figures "3,000.00" and insert in lieu thereof the figures "4,000.00".

Add a new line as follows:

"12a Electric Light, Telephone and Telegraph 1,800.00"

Line 14—Strike out the figures "3,000.00" and insert in lieu thereof the figures "5,000.00".

Line 15—Strike out the figures "1,500.00" and insert in lieu thereof the figures "2,400.00".

Line 17—Strike out the figures "\$31,400.00" and insert in lieu thereof the figures "\$45,700.00".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Smart moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 69, have had the same under consideration and recommend that the same be amended as follows:

In line 5 of the title of the bill strike out the figures "\$150,000.00" and insert in lieu thereof the figures "\$100,000.00".

In line 6 of the title of the bill strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$7,500.00".

Line 48—Strike out the figures "\$150,000.00" and insert in lieu thereof the figures "\$100,000.00".

Line 51—Strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$7,500.00".

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Rep. Westby moved that the courtesies of the floor be extended to Rev. Burgum, a former member of the House in 1935 and 1937, which motion prevailed.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 4.

House Bill No. 9.

House Bill No. 10.

House Bill No. 12.  
House Bill No. 46.  
House Bill No. 65.  
House Bill No. 80.  
House Bill No. 100.  
House Bill No. 127.  
House Bill No. 136.  
House Bill No. 187.  
House Bill No. 200.  
House Bill No. 242.  
House Bill No. 248.  
House Bill No. 281.  
House Joint Resolution No. 1.  
House Concurrent Resolution "D".  
House Concurrent Resolution "K".  
House Concurrent Resolution "V".  
House Concurrent Resolution "Y".  
Senate Bill No. 58.  
Senate Bill No. 104.  
Senate Bill No. 106.  
Senate Bill No. 125.  
Senate Bill No. 165.  
Senate Bill No. 177.  
Senate Bill No. 182.  
Senate Concurrent Resolution No. 7.  
Senate Concurrent Resolution No. 15.

And the Speaker signed the same in the presence of the House.

Speaker Bergesen welcomed Rep. Graham back to the House after his illness.

Rep. Graham: "Thank you, Mr. Speaker, and also the Members of the House. I am indeed glad to be back and I wish to thank you for the splendid bouquet that you sent to me and also for the courtesies extended to my wife in meeting her at the bus depot. I also want to thank the employees of the House for the beautiful bouquet sent to me and I only hope that you people voted as I would have voted while I was away."

Rep. Halcrow moved that Rep. Crockett be appointed as a committee of one to escort Rev. Burgum to the rostrum, which motion prevailed.

Rev. Burgum was escorted to the rostrum and welcomed by the Speaker.

Rev. Burgum: Mr. Speaker and Members of the House. I nearly broke this glass up here (with the gavel) because I never was Speaker. I presided in General Orders only on one occasion and I had such a tough time that I was never asked to preside again. Our good friend Ole Stray from Mountrail County sat on one side and he got the floor and I couldn't get it away from him. Between him and Roy Frazier we went round and round.

I am happy to be here today. It is the first time I have been back here since I left the House some eight years ago. I look back to that experience with a great deal of pleasure. As I go over the State I am constantly meeting someone who was a member or someone here now. We had some hot times and some very rugged debates, but as far as I am



concerned, I have never met anyone for whom I had any really ill-feeling or whom I thought had any towards me.

There is a fraternity about the Legislature. It is a good deal like belonging to a fraternity. You have your troubles for the day, but as the years pass you are a part of a body in spirit. As a matter of fact, of course, you all note that 80% of the matters that come up here have no factional or party complexion and it is a matter of using horse-sense. Now, of course, the House has changed quite a great deal. I don't know whether I have changed or not. You may feel, some of you who knew me back there, like the Irishman Mike whose friend Pat was talking to him about the transmigration of souls. In the next world you may rest on a higher estate or you may descend to a lower estate. And Pat said to Mike, "It is like this, if in the next world you discover that I was a jack-ass what would you say?" And Mike said, "I would say you hadn't changed much."

It may be that Billy Crockett and some of the boys, of the 8 or 10 who were here in 1935 may feel the same about me.

It is a pleasure to be here and those who serve in these days in the legislature have a large responsibility because over the world our men are dying for the things that this body represents: namely, Government of the People, By the People, and For the People. I trust you have done your best for the man down under, for the fellow we all call the common man. That you will remember him in these days because he is the man who needs to be remembered in a democracy. There will be criticism on what you do here, people expect a great deal of the legislature.

I heard about a family that went home from church one Sunday and criticized the services. The father said the service was too long, the mother said the choir was off-color and the daughter said the solo was off-note. And, when they asked Jimmy, "What did you think about it?" he said, "It was a mighty good show for a nickel!"

There will be some people who will not get enough to satisfy them but after all I hope you will hold to your task with perseverance and do your best as you see it for the folks who are back in the sticks and the folks who do not have a voice frequently in the affairs of America. This is the secret of the progress and growth of a Democracy. Mr. Speaker and Gentlemen—I thank you.

Rep. Crockett: It is too bad we do not have more Rev. Burgums. We certainly appreciated him and his services while he was with us as a member of this House. I wish we had him here now and Mr. Speaker I move at this time that the remarks of Rev. Burgum be printed in the Journal of the House, which motion prevailed.

Rep. Johnson of Richland moved that the absent members be excused, which motion prevailed.

Rep. Schnell moved that the House request the Senate to return Senate Bill No. 188.

On a voice vote the Chair was in doubt.

A rising vote disclosed 54 voting for and 47 against, so the motion prevailed.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the House has requested the return of Senate Bill No. 188.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "Z." A Concurrent Resolution Memorializing Congress, the President of the United States, and Chester Bowles, Administrator of The Office of Price Administration, to Permit the Sale of North Dakota Butter Within Ceiling Prices on the Basis of Its True Commercial Value, and to Cease Unjust Discrimination Against Butter Made in the State of North Dakota.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 152. A Bill for an Act to Provide for the Disposition of Any Unclaimed Funds in the Custody of Any Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Forclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Senate Bill No. 210. A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hettinger in Adams County and Langdon in Cavalier County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

Senate Concurrent Resolution No. 12. A Concurrent Resolution Memorializing the Interstate Commerce Commission and the Public Service Commission of the State of North Dakota to Take Steps to Remove the Discrimination Now Existing Against the North Dakota Shippers of Grain.

Senate Concurrent Resolution No. 14. A Concurrent Resolution Memorializing Congress of the United States of

America and the War Department to Utilize the Facilities Available at Fort Lincoln, North Dakota in the Readjustment Program Following the War.

Which the House has passed unchanged except the emergency clause lost on Senate Bill No. 196.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Senate Bill No. 39. A Bill for an Act Making an Appropriation 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 Sections 26-2401 to 26-2421, Inclusive, of the North Dakota Revised Code of 1943, and Declaring an Emergency.

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and to Declare an Emergency.

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Senate Bill No. 51. A Bill for an Act Amending and Re-enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 30 of the Authenticated Edition of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly (House Bill 24) Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund of the State, and Declaring an Emergency.

Senate Bill No. 144. A Bill for an Act Transferring

Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 93. A Bill for an Act to Regulate Primary and General Elections and to Facilitate the Participation Therein of Electors Engaged in the Military or Naval Service or in the Merchant Marine of the United States and to Amend and Re-enact Sections 16-0107, 16-0402, 16-0403, 16-0404, 16-0405, 16-0406, 16-0408, 16-0412, 16-0503, 16-0504, 16-0505, 16-0807, 16-1701, 16-1703, 16-1801, 16-1804, 16-1805, 16-1806, 16-1808, 16-1811, 16-1813, and 16-1814 of the North Dakota Revised Code of 1943; and to Repeal Section 16-1812 of the North Dakota Revised Code of 1943 and Chapter 16- (House Bill No. 3), and Chapter 17 (House Bill No. 9), Chapter 18 (House Bill No. 4), Chapter 19 (House Bill No. 11), Chapter 20 (House Bill No. 10), Chapter 21 (House Bill No. 2), Chapter 22 (House Bill No. 13), Chapter 23 (House Bill No. 8), Chapter 24 (House Bill No. 5), Chapter 25 (House Bill No. 7), and Chapter 26 (House Bill No. 12), of the Authenticated Edition of the Special Session Laws of 1944.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 57-4101 of the North Dakota Revised Code of 1943, Relating to the Definition of Motor Vehicle Fuels.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to transmit:

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

House Bill No. 10. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

House Bill No. 46. A Bill for an Act Requiring That County Auditors Be Notified Whenever Lands Owned by the State as Trustee of the Permanent School Fund Are Sold Upon Contract Providing for a Future Con-

veyance; and Providing Penalty for Failure to Do So; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor. Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

House Bill No. 80. A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund of the State, and Declaring an Emergency.

House Bill No. 136. A Bill for an Act to Repeal Subsection 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to transmit:

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribu-

tion of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Corporations by the Commissioner of Insurance; Investment of Funds and Declaring an Emergency.

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of Said Construction Fund; Fixing a Penalty for Unlawful Withdrawal of Such Construction Fund; and Declaring an Emergency.

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 4-1005 of the North Dakota Revised Code of 1943 Relative to Labeling, Branding or Tagging Potatoes Being Transported or Offered for Sale or Consignment.

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

House Joint Resolution No. 1.

House Concurrent Resolution "D".

House Concurrent Resolution "K." Regarding Service Performed by the Farm Security Administration, in the Rehabilitation of Farmers Upon the Soil.

House Concurrent Resolution "V".

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood, Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway

**Company Across the Yellowstone River in McKenzie County, North Dakota.**

**Senate Bill No. 106.** A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

**Senate Bill No. 125.** A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Compensation of the Chief Engineer of the State Highway Department.

**Senate Bill No. 165.** A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.

**Senate Bill No. 177.** A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

**Senate Bill No. 182.** A Bill for an Act to Amend and Re-enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

**Senate Concurrent Resolution No. 7.** A Concurrent Resolution Memorializing Congress of the United States with Reference to Changes in the Social Security Acts.

**Senate Concurrent Resolution No. 15.**

Which the Speaker has signed.

**KENNETH L. MORGAN, Chief Clerk.**

Rep. Johnson of Richland moved that the House do now adjourn, which motion prevailed.

**KENNETH L. MORGAN, Chief Clerk.**

#### FIFTY-SEVENTH DAY

Bismarck, February 27, 1945

The House convened at 2:00 o'clock p. m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. Bachman.

Roll call: All members present.

The Committee on Revision and Correction of the Journal made the following report:

**Mr. Speaker:** Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-fourth Day After Recess and Fifty-sixth Day and recommends that the same be corrected as follows:

On page 863 in the first paragraph change Senate Bill No. 84 to read House Bill No. 84.

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Concurrent Resolution No. 9, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Drovdal moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 100, have had the same under consideration and recommend that the same be indefinitely postponed, or if placed on the calendar that the same be amended as follows:

In line 2 of the title, after the word "tax" and before the word "limitations" insert the word "levy".

In line 21 of the original bill, strike out the words and numerals "sixty (60%) per cent" and insert in lieu thereof the words "a majority".

REP. McINNES, Chairman.

Rep. Wolf of McIntosh moved that Senate Bill No. 100 be laid on the table.

Rep. Johnson of Richland demanded a roll call.

#### ROLL CALL

The question being on the motion of Rep. Wolf of McIntosh, the roll was called and there were ayes, 61; nays, 51; absent and not voting, 0.

Those voting in the affirmative were:

Acheson	Haag	Olson, Bowman
Anderson	Halvorson	Ostgulen
Baumgartner	Haugen	Rohrer
Belzer	Haugland	Schimke
Boucher	Heckman	Schlafmann
Bubel	Hegge	Schmalenberger
Bureau	Hofstrand	Schmidt, Logan
Bymers	Isaak	Schmidt, Morton
Crockett	Jennings	Schnell
Devlin	Larson	Schwartz
Dittmer	Levin	Seibel
Drovdal	Lillehaugen	Shockman
Engel	Lindberg	Stair
Esterby	Maher	Stanley
Falconer	Moe	Sticka
Forseth	Moerke	Thompson, Richl'nd
Frank	Mollet	Tuff



Fraser	Monson	Welk
Fuglestad	Mork	Wolf, McIntosh
Grenier	Mortenson	Wolf, Morton
Graham		

Those voting in the negative were:

Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Herk	Sandness
Arndt	Hildre	Saumur
Bagge	Hogoboom	Sellens
Benno	Hovey	Severson
Bjella	Johnson, Cass	Sharpe
Blair	Johnson, Richland	Skaar
Bolmeier	Klefstad	Smart
Brady	Langley	Still
Callahan	Leet	Stormon
Collette	Luick	Symington
Dalzell	Lysne	Thompson, Griggs
Drawz	McInnes	Wambheim
Ekren	Nystrom	Westby
Fitch	Ohnstad	Wollitz
Fleck	Olson, Barnes	Yirchott
Gainor	Pyle	Mr. Speaker

So the motion prevailed and Senate Bill No. 100 was laid on the table.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 151, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

• Rep. Drovdal moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bymers moved that the vote by which Senate Bill No. 151 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 155, have had the same under consideration and recommend that the same do pass.

REP. McINNES, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 197, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. McINNES, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bymers moved that the vote by which Senate Bill No. 197 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 Senate Bill No. 209, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. ALLEN of Grand Forks, Chairman.

Rep. Crockett moved that the report be adopted.

Rep. Johnson of Richland offered as a substitute motion that Senate Bill No. 209 be placed on the calendar.

On a voice vote the chair was in doubt.

A rising vote disclosed 58 voting for and 36 against so the motion prevailed and Senate Bill No. 209 was placed on the calendar.

Mr. Speaker: Your Committee on Elections and Election Privileges, to whom was referred Senate Bill No. 62, have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the Original Bill, after the word "the" and before the figures "1943" insert the words "North Dakota Revised Code of" and strike out the word "code" which immediately follows the figure "1943".

Do the same in lines 1 and 2 of the Bill; and again in lines 18 and 19, and again in lines 37 and 38.

In line 34 correct the spelling of the word "principals"—should be "principles".

And when so amended recommend the same do pass.

REP. HOGOBOOM, Chairman.

Rep. Langley moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 110. A Bill for an Act to Amend and Re-enact Section 57-3706 of North Dakota Revised Code of 1943 and Determining the Interest of Each Joint Tenant at Time of Death of One of the Joint Tenants; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 16-1016 of the North Dakota Revised Code of 1943, Increasing Compensation of Inspector, Judges and Clerks of Election.

House Bill No. 126. A Bill for an Act Authorizing and Requiring the Board of Administration to Fix and Collect Rental for All Office Space in the Capitol, Used and Occupied by Federal Agencies, and to Require Removal from the Capitol of All of Such Agencies as Fail or Refuse to Pay Rental for the Space Occupied; and Declaring an Emergency.

House Bill No. 135. A Bill for an Act to Provide for the Determination of the Estate Tax Liability in Cases Where Property, Real or Personal, Is Held in Joint Tenancy and One of the Joint Tenants Dies Without Probate of His Estate in This State; Providing the Procedure for the

Determination of Such Tax by the State Tax Commissioner, the Judicial Review Thereof, and for Recording a Certificate of the Tax Commissioner Upon Payment of Such Tax or Where There Is No Tax.

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 26-0107 of the Revised Codes of North Dakota for 1943 Regarding Examination of Insurance Companies; and Declaring an Emergency.

House Bill No. 238. A Bill for an Act Amending and Re-enacting Subsection 3 of Section 30-2004 of the North Dakota Revised Code of 1943 Relating to Compensation Paid Executors or Administrators.

House Bill No. 261. A Bill for an Act Amending and Re-enacting Section 43-0920 of the North Dakota Revised Code of 1943, Relating to Contracts for the Installation of Electrical Wiring and Installation of Electrical Equipment; Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 8 and the President has appointed as a Conference Committee, Senators Stucke, Young and Braun.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

House Bill No. 115. A Bill for an Act Authorizing County Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic Beverages from Having Any Financial Interest in the Business of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers from Giving Financial Aid or Furnishing Fixtures or Other Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Mines and Mining to whom was referred Senate Bill No. 161, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FLECK, Chairman.

Rep. Still moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Westby moved that the vote by which Senate Bill No. 161 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 Senate Bill No. 127, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Grand Forks, Chairman.

Rep. Crockett 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. 190, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Grand Forks, Chairman.

Rep. Sailer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 74, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Grand Forks, Chairman.

Rep. Moe 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. 105, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Grand Forks, Chairman.

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws, to whom was referred Senate Bill No. 194, have had the same under consideration and recommend that the same be amended as follows:

In the Re-engrossed bill, after the word "rates" in line 66 insert the following language:

"1. On all net incomes, above exemptions, and not in excess of two thousand dollars, a tax of one percent;

2. On all net incomes, above exemptions, in excess of two thousand dollars and not in excess of four thousand dollars, a tax of two percent;

3. On all net incomes, above exemptions, in excess of four thousand dollars and not in excess of five thousand dollars, a tax of three percent;

4. On all net incomes, above exemptions, in excess of five thousand dollars and not in excess of six thousand dollars, a tax of five percent;

5. On all net incomes, above exemptions, in excess of six thousand dollars, a tax of seven and one-half percent;"

In line 67, change the numeral "1" (one) to "6" (six).  
 Renumber the lines.

And when so amended recommend the same do pass.

REP. McINNES, Chairman.

Rep. Hovey moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: The majority of your Committee on Election and Election Privileges to whom was referred Senate Bill No. 163, have had the same under consideration and recommend that the same do pass.

REP. FUGLESTAD

REP. HERK

REP. STORMON

REP. ARNDT

REP. SCHNELL

REP. HOGOBOOM

REP. HOGOBOOM, Chairman.

Mr. Speaker: The minority of your Committee on Election and Election Privileges to whom was referred Senate Bill No. 163, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. THOMPSON of Richland

REP. ESTERBY

REP. MONSON

REP. LANGLEY

REP. ACHESON

Rep. Johnson of Richland moved that the report of the majority be adopted.

Rep. Thompson of Richland offered as a substitute motion that the report of the minority be substituted for the report of the majority.

Rep. Schnell moved the previous question, which motion prevailed.

The question was on the motion of Rep. Thompson of Richland, which motion prevailed and Senate Bill No. 163 was indefinitely postponed.

Rep. Wolf of McIntosh, moved that the vote by which Senate Bill No. 163 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 196.

Strike out lines 16, 17, 18 and 19 of the printed Bill.

Rep. Crockett moved that the House do not concur in the Senate amendments to House Bill No. 196 and that a conference committee be appointed.

The Speaker appointed Reps. Crockett, Johnson of Cass and Olson of Barnes.

#### MESSAGES TO THE SENATE

House of Representatives  
 Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to

House Bill No. 196 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Crockett, Johnson of Cass and Olson of Barnes.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 57-1508 of the North Dakota Revised Code of 1943 Relating to Tax Levy Limitations in Cities, and Declaring an Emergency.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 57-1705 of the North Dakota Revised Code of 1943, Relating to the Vote Required to Grant Authority for Excess Levies in Counties, Municipalities and Townships; Providing That Such Excess Levy May Be for Five Years; and Declaring an Emergency.

Senate Bill No. 161. A Bill for an Act to Require Operators of Coal Mines Located Within the State of North Dakota to Furnish and Deliver Coal to Farmers, Truckers and Other Persons, Whenever Such Farmers, Truckers, or Other Persons Call for Coal at the Mines; Providing for Penalties and Declaring an Emergency.

Senate Bill No. 163. A Bill for an Act to Amend and Re-enact Section 16-1712 of the North Dakota Revised Code of 1943, Relating to the Selection of Delegate to State Committee When Two or More Counties Embraced in Legislative District.

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 57-1604 and Section 57-1606 of the North Dakota Revised Code of 1943 Relating to Elections to Authorize Excess Levies and Providing the Form of Ballot in School District Elections.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

#### GENERAL ORDERS

Rep. McInnes moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. McInnes to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Resolution No. 3.

And recommend the same do pass.

REP. McINNES, Chairman,  
Committee of the Whole.

Rep. Graham moved that the report of the Committee of the Whole be laid over one legislative day.

Rep. Johnson of Richland demanded a Call of the House.

The Sergeant-at-arms was instructed to close the doors of the House.

The roll was called and all members were present.

Rep. Bolmeier moved that the Call of the House be dispensed with, which motion prevailed.

The question before the House was the motion of Rep. Graham.

Rep. Bolmeier offered as a substitute motion that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Richland moved that House Resolution No. 3 be adopted.

On a voice vote the Chair was in doubt.

A roll call was demanded.

#### ROLL CALL

The question being on the adoption of House Resolution No. 3, the roll was called and there were ayes, 70; nays, 41; absent and not voting, 0; passed, 1.

Those voting in the affirmative were:

Allen, Grand Forks	Halvorson	Olson, Barnes
Allen, Pierce	Haugen	Olson, Bowman
Arndt	Haugland	Pyle
Bagge	Heckman	Sailer
Benno	Hegge	Sandness
Bjella	Herk	Saumur
Blair	Hildre	Schlafmann
Bolmeier	Hofstrand	Schnell
Brady	Hogoboom	Sellens
Bureau	Hovey	Severson
Bymers	Johnson, Cass	Sharpe
Callahan	Johnson, Richland	Skaar
Collette	Klefstad	Smart
Dalzell	Langley	Stanley
Devlin	Leet	Sticka
Drawz	Luick	Still
Ekren	Lysne	Stormon
Esterby	McInnes	Symington
Fitch	Maher	Thompson, Griggs
Fleck	Moe	Wambheim
Forseth	Monson	Westby
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Halcrow		

Those voting in the negative were:

Acheson	Grenier	Schimke
Anderson	Haag	Schmalenberger
Baumgartner	Isaak	Schmidt, Logan

Belzer	Jennings	Schmidt, Morton
Boucher	Larson	Schwartz
Bubel	Levin	Seibel
Crockett	Lillehaugen	Shockman
Dittmer	Lindberg	Stair
Drovdal	Moerke	Thompson, Rich'nd
Engel	Mollet	Tuff
Falconer	Mork	Welk
Frank	Mortenson	Wolf, McIntosh
Fraser	Ostgulen	Wolf, Morton
Graham	Rohrer	

Passed:

Mr. Speaker

So the resolution was adopted.

Rep. Johnson of Richland moved that the vote by which House Resolution No. 3 was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett: I want to explain my vote and I want it recorded. This is one time I'll get it. Mr. Speaker: I am going to vote "no" for the first reason that it is "un-American" and "railroading". When the Senate killed those three bills over there that were recommended by the committee that proved beyond all shadow of a doubt, that it was because they knew they were going to get control of the department.

Second, I vote "no" for the reason that the testimony that has been taken by this committee from high noon January 2 when this assembly went into session has no bearing. It is unconstitutional and will be thrown out by the Supreme Court of the State and make monkeys out of us. I want you to remember, members of this assembly, that I explained this in my vote.

For the third reason, we have not had sufficient time, as any fair-minded man knows, 48 hours is not enough to study this report.

For the fourth reason, there has been nothing said about the auditing company, Ernst and Ernst. Their report was made first, it is in the last of the report of the committee and there has never been one word said that they found a dollar short in the state insurance funds. Therefore, Mr. Speaker, I vote "no".

Rep. Drovdal: I wish to explain my vote and have it recorded. In view of the fact that no person in my estimation is guilty of crime under our constitution until such is proven and found guilty or not guilty of the crime, and further in view of the fact that no proof has been set forth to prove this crime—therefore I vote "no".

Rep. Falconer: I wish to explain my vote. I vote "no" on this resolution because I do not believe that any person could act intelligently on the material furnished in the short time we have had to do that type of work. For the further reason, that Mr. Erickson was not given the privilege of appearing for questioning before this House because the testimony was taken behind closed doors and members of the Legislative Assembly were prevented from entering the room and listening to the testimony as given. Further, because I believe the results would have been much better and less expensive had the matter been handled in the way



originally intended and recommended by the committee in Section 3 on Page 25 of the Report. I believe we have a very able Attorney General, I believe he could handle this in a much more efficient and less expensive manner and the results would be the same in the long run. For these reasons and many more I vote "no".

Rep. Graham: I vote "no" for the reason that this committee did not give Mr. Erickson the opportunity to be present during all of the hearings and furnish him a copy of the testimony. Also, I vote "no" for the reason that in the report made by the committee there is no recommendation for impeachment and for the reason there has been no proof or statement made here today that the matters contained in the report were submitted to the Attorney General for his consideration. I vote "no" for the reason that if the statements of the committee in the testimony are true then the same results would be accomplished at a greatly less expense by having Mr. Erickson arrested and tried for any crime he may have committed. I also vote "no" for the reason that all of these charges have been made against Mr. Erickson in the campaigns of 1944 and 1942 and that the people knowing all of these charges still voted for him.

Rep. Haugen: The State of North Dakota has spent in the investigation of the Insurance Department a good many thousands of dollars and it will run probably \$30,000 or \$40,000. As a result of this investigation just concluded, the charges have been made against the head of the department and have been published in all the daily papers and broadcasted over the radio. If this matter was allowed to drop here now, in the minds of probably a large majority of the people of North Dakota, Mr. Erickson would be branded as a criminal. In fairness to the state and its people and in fairness to Mr. Erickson, I am going to vote "aye" for the continuation of these proceedings and the passage of this resolution so that we may know once and for all if Mr. Erickson is guilty of these charges. I vote "aye".

Rep. Moe: I had hoped all the time this would not go this far but when it has come to the point where we now are—for the benefit of Mr. Erickson, the State of North Dakota and its constituents, I think we should go through with the trial and he will have the chance to prove himself whether he is guilty or not. I vote "aye".

Rep. Thompson of Richland: I want to explain my vote. This committee report was withheld until the last days of the session. Then we, as a House of Representatives, are asked to judge a man's honor and reputation on a few hours notice. The matter is too serious for hasty action but such action is forced upon us for political purposes and our decision must be a hasty one. Therefore, I vote "no".

Rep. Schnell: I would like to explain my vote. I have been accused of being a poor organization man by some people for the organizations in which principles I believe in, and for not defending people of this kind that have been charged with corruptions in public office. I am once and for all, all through making excuses for anybody charged with such charges and this looks plenty suspicious to me. I look for something to come out of this that will really justify the investigation. I feel as a friend of Mr. Erickson's this should be brought before this court, to bring this up for a trial and

give him every opportunity in the world to defend himself and if he is cleared of all these charges that have been made in this investigation, more power to him and I vote "aye".

Rep. Wolf of McIntosh: I want to explain my vote. I still believe in Democracy. We have been up here for around 55 days—something like that—and towards the end of the session we have been crowded with bills and we have a lot of hard work in front of us. A couple of days ago they handed us a report of 83 pages. I have not had the time to study and consider that report and cannot cast my vote in favor of such a procedure. If we had time I believe it has some merits, but as long as we do not have time to study it, against my better judgment I will have to vote "no".

Speaker Bergesen: The Speaker happens to be chairman of the board of a domestic life insurance company. That company is under the direct supervision of the Commissioner of Insurance. In other words, to some extent he is my boss. On the question of impeachment which involves the question as to whether he shall at this time continue to hold his office I feel that my situation is such that I should not be permitted to vote. Of course, that is a matter for the House to determine.

Rep. Bolmeier moved that the House grant Mr. Bergesen the courtesy of not voting, which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 12.  
Senate Bill No. 29.  
Senate Bill No. 44.  
Senate Bill No. 55.  
Senate Bill No. 56.  
Senate Bill No. 85.  
Senate Bill No. 179.  
Senate Bill No. 6.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 146 and the President has appointed as a Conference Committee, Senators Nelson—McKenzie, Morgan and Olson—Barnes.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return Senate Bill No. 124 which the House had messaged over as amended. But no amendments were attached to the bill.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return Senate Bill No. 188 which the House requested.

W. J. TROUT, Secretary.

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Creating an Emergency.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

Rep. Johnson of Richland moved that the House recess until 7:00 o'clock p. m., which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

Rep. Bolmeier moved that a conference committee be appointed on Senate Bill No. 8, which motion prevailed.

The Speaker appointed Reps. Symington, Stormon and Sticka.

Rep. Levin moved that a conference committee be appointed on Senate Bill No. 146, which motion prevailed.

The Speaker appointed Reps. Levin, Dalzell and Collette.

## CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 142.

Strike out everything after the words "A BILL", and insert in lieu thereof the following:

For an Act to amend and re-enact Sections 15-3608 and 15-3609 of the North Dakota Revised Code of 1943 relating to fees for teachers' certificates.

## BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 Section 1. AMENDMENT.) That Section 15-3608
- 2 of the North Dakota Revised Code of 1943 be amended
- 3 and re-enacted to read as follows:
- 4 15-3608. FEES FOR CERTIFICATES. The superin-
- 5 tendent of public instruction shall require a fee
- 6 of five dollars from each applicant for a first
- 7 grade professional certificate, and a fee of three
- 8 dollars from each applicant for a second grade pro-
- 9 fessional certificate or for a special certificate:
- 10 The same fee shall be charged for a renewal of a
- 11 professional or special certificate as is charged
- 12 for its issuance. The county superintendent of
- 13 schools shall collect a fee of two dollars from each
- 14 applicant for an elementary certificate, or the re-
- 15 newal of an elementary certificate. The fees col-
- 16 lected for first and second grade professional
- 17 certificates, as provided herein, shall be deposited
- 18 in the state treasury to the credit of the general
- 19 fund of the state.
- 20 Section 2. AMENDMENT.) That Section 15-3609 of
- 21 the North Dakota Revised Code of 1943 be amended
- 22 and re-enacted to read as follows:
- 23 15-3609. DISPOSITION OF FEES COLLECTED FOR
- 24 TEACHERS' CERTIFICATES. One dollar of each fee

25 collected by the county superintendent of schools  
 26 from an applicant for an elementary certificate and  
 27 one dollar of each fee collected for the renewal  
 28 of an elementary certificate shall be paid into  
 29 the general fund of the county, and one dollar of  
 30 each fee collected from an applicant for an ele-  
 31 mentary certificate or renewal shall be forwarded  
 32 to the superintendent of public instruction to be  
 33 deposited in the state treasury in the state general  
 34 fund. Funds necessary for clerical help, per diem and  
 35 other expenses shall be paid from appropriations  
 36 made by the legislative assembly.  
 37 Section 3. Any and all moneys now in the state  
 38 treasury to the credit of the certificate fund shall  
 39 be transferred to the general fund after all bills  
 40 charged to the certificate fund prior to July 1,  
 41 1945 are paid.

Rep. Johnson of Cass moved that the House concur in the Senate amendments to House Bill No. 142, which motion prevailed.

Rep. Crockett moved that the rules be suspended and House Bill No. 142 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 142. A Bill for an Act to Amend and Re-enact Section 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

Was read the 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, 6; absent and not voting, 24.

Those voting in the affirmative were:

Acheson	Frank	Ohnstad
Allen, Grand Forks	Fuglestad	Ostgulen
Allen, Pierce	Gainor	Pyle
Anderson	Grenier	Sailer
Arndt	Haag	Sandness
Bagge	Halcrow	Saumur
Baumgartner	Halvorson	Schlafmann
Belzer	Heckman	Schmidt, Morton
Benno	Herk	Schnell
Bjella	Hildre	Seibel
Blair	Hofstrand	Sellens
Bolmeier	Hogoboom	Severson
Boucher	Hovey	Sharpe
Brady	Isaak	Shockman
Bubel	Jennings	Skaar
Bureau	Johnson, Cass	Smart
Bymers	Langley	Stanley
Callahan	Leet	Sticka
Devlin	Lindberg	Still
Dittmer	Luick	Stormon
Drawz	Lysne	Thompson, Griggs
Drovdal	McInnes	Wambheim
Ekren	Maher	Westby
Engel	Moerke	Wolf, McIntosh
Esterby	Monson	Wolf, Morton

Falconer	Mork	Wollitz
Fleck	Nystrom	Mr. Speaker
Forseth		

Those voting in the negative were:

Fraser	Schmidt, Logan	Tuff
Moe	Thompson, Richl'nd	Welk

Absent and not voting:

Collette	Johnson, Richland	Olson, Bowman
Crockett	Klefstad	Rohrer
Dalzell	Larson	Schimke
Fitch	Levin	Schmalenberger
Graham	Lillehaugen	Schwartz
Haugen	Mollet	Stair
Haugland	Mortenson	Symington
Hegge	Olson, Barnes	Yirchott

So the bill passed as amended and the title was agreed to.  
House Bill No. 87.

On page 1 line 9 of the re-engrossed bill strike out the word "three" and insert in lieu thereof the word "four".

In Section 2 strike all of lines 14 and 15.

Rep. Lillehaugen moved that the House concur in the Senate amendments to House Bill No. 87, which motion prevailed.

Rep. Bymers moved that the rules be suspended and House Bill No. 87 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 2; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Fuglestad	Ostgulen
Allen, Grand Forks	Gainor	Pyle
Allen, Pierce	Grenier	Sailer
Anderson	Haag	Sandness
Arndt	Halerow	Saumur
Bagge	Halvorson	Schimke
Baumgartner	Haugen	Schlafmann
Belzer	Heckman	Schmalenberger
Bolmeier	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogboom	Sellens
Boucher	Hovey	Severson
Brady	Jennings	Sharpe
Bubel	Johnson, Cass	Shockman
Burau	Johnson, Richland	Skaar
Bymers	Langley	Smart
Callahan	Larson	Stanley
Crockett	Leet	Sticka
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon

Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Ekren	McInnes	Thompson, Rich'nd
Engel	Maher	Tuff
Esterby	Moe	Wambheim
Falconer	Moerke	Welk
Fitch	Mollet	Westby
Fleck	Monson	Wolf, Morton
Forseth	Mork	Wollitz
Frank	Nystrom	Mr. Speaker
Fraser	Ohnstad	

Those voting in the negative were:

Isaak Seibel

Absent and not voting:

Collette	Klefstad	Rohrer
Dalzell	Levin	Schwartz
Graham	Mortenson	Stair
Haugland	Olson, Barnes	Wolf, McIntosh
Hegge	Olson, Bowman	Yirchott

So the bill passed as amended and the title was agreed to.

House Bill No. 11.

In the heading of the bill, strike out the words "SCALE INSPECTION DIVISION" and insert the following words "DEPARTMENT OF WEIGHTS AND MEASURES".

In the second line of the Title of the Bill, after the word "the", strike out the words "Scale Inspection Division" and insert the following words "Department of Weights and Measures".

In line 2, after the first word "The" strike out the words "Scale Inspection Fund in The".

In line 4, after the second "the" strike out the words "Scale Inspection Division" and insert the following words: "Department of Weights and Measures".

Rep. Halcrow moved that the House concur in the Senate Amendments to House Bill No. 11, which motion prevailed.

Rep. Halcrow moved that the rules be suspended and House Bill No. 11 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 11. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Department of Weights and Measures.

Was read the 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:

Acheson	Gainor	Pyle
Allen, Grand Forks	Grenier	Sailer
Allen, Pierce	Haag	Sandness
Anderson	Halcrow	Saumur
Arndt	Halvorson	Schimke
Bagge	Haugland	Schlafmann
Baumgartner	Heckman	Schmalenberger
Belzer	Herk	Schmidt, Logan

Benno	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bjella	Hogoboom	Seibel
Bolmeier	Hovey	Sellens
Bubel	Isaak	Severson
Brady	Jennings	Sharpe
Bureau	Johnson, Cass	Shockman
Bymers	Langley	Skaar
Callahan	Larson	Smart
Crockett	Leet	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Richl'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Nystrom	Wolf, Morton
Fraser	Ohnstad	Wollitz
Fuglestad	Ostgulen	Mr. Speaker
Absent and not voting:		
Boucher	Johnson, Richland	Olson, Bowman
Collette	Klefstad	Rohrer
Dalzell	Levin	Schwartz
Graham	Mortenson	Stair
Haugen	Olson, Barnes	Yirchott
Hegge		

So the bill passed as amended and the title was agreed to.  
House Bill No. 117.

In lines 5 and 6 of the printed Bill strike out the following words: "decendent was born in any foreign country, or" and insert in lieu thereof "deceased resident of any of the States of the United States of America".

Rep. Johnson of Richland moved that the House concur in the Senate Amendments to House Bill No. 117, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and House Bill No. 117 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

Was read the 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, 3; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Fraser	Monson
Allen, Grand Forks	Fuglestad	Mork
Allen, Pierce	Gainor	Nystrom
Anderson	Grenier	Ohnstad

Arndt	Halcrow	Ostgulen
Bagge	Halvorson	Pyle
Baumgartner	Haugen	Sailer
Belzer	Haugland	Sandness
Benno	Heckman	Saumur
Bjella	Herk	Schimke
Blair	Hildre	Schlafmann
Bolmeier	Hofstrand	Schmalenberger
Boucher	Hogoboom	Schnell
Brady	Hovey	Seibel
Bubel	Isaak	Sellens
Burau	Jennings	Severson
Bymers	Johnson, Cass	Sharpe
Callahan	Johnson, Richland	Shockman
Collette	Langley	Skaar
Crockett	Larson	Smart
Dalzell	Leet	Stanley
Devlin	Levin	Still
Dittmer	Lillehaugen	Thompson, Griggs
Drawz	Lindberg	Thompson, Richl'nd
Drovdal	Luick	Tuff
Engel	Lysne	Wambheim
Esterby	McInnes	Welk
Falconer	Maher	Wolf, McIntosh
Fitch	Moe	Wolf, Morton
Fleck	Moerke	Wollitz
Forseth	Mollet	Mr. Speaker
Frank		

Those voting in the negative were:

Haag	Schmidt, Logan	Schmidt, Morton
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Absent and not voting:

Ekren	Olson, Barnes	Sticka
Graham	Olson, Bowman	Stormon
Hegge	Rohrer	Symington
Klefstad	Schwartz	Westby
Mortenson	Stair	Yirchott

So the bill passed as amended and the title was agreed to.

House Bill No. 118.

In lines 17 and 18 of the printed Bill strike out the words "was born in any foreign country or", and renumber the lines accordingly.

Rep. Johnson of Richland moved that the House concur in the Senate Amendments to House Bill No. 118, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and House Bill No. 118 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 15.



Those voting in the affirmative were:

Acheson	Fraser	Mork
Allen, Grand Forks	Fuglestad	Nystrom
Allen, Pierce	Gainor	Ohnstad
Anderson	Grehier	Ostgulen
Arndt	Haag	Pyle
Bagge	Halcrow	Rohrer
Baumgartner	Halvorson	Sailer
Belzer	Haugen	Sandness
Benno	Haugland	Saumur
Bjella	Heckman	Schimke
Blair	Herk	Schlafmann
Bolmeier	Hildre	Schmalenberger
Boucher	Hofstrand	Schmidt, Morton
Brady	Hogoboom	Schnell
Bubel	Hovey	Seibel
Burau	Isaak	Sellens
Bymers	Jennings	Severson
Callahan	Johnson, Cass	Sharpe
Collette	Johnson, Richland	Shockman
Crockett	Langley	Skaar
Dalzell	Larson	Stanley
Devlin	Leet	Still
Dittmer	Levin	Thompson, Griggs
Drawz	Lillehaugen	Thompson, Rich'nd
Drovdal	Lindberg	Tuff
Ekren	Luick	Wambheim
Engel	Lysne	Welk
Esterby	Maher	Westby
Falconer	Moe	Wolf, McIntosh
Fitch	Moerke	Wolf, Morton
Fleck	Mollet	Wollitz
Forseth	Monson	Mr. Speaker
Frank		

Absent and not voting:

Graham	Olson, Barnes	Stair
Hegge	Olson, Bowman	Sticka
Klefstad	Schmidt, Logan	Stormon
McInnes	Schwartz	Symington
Mortenson	Smart	Yirchott

So the bill passed as amended and the title was agreed to.  
House Bill No. 139.

In line 11, correct the spelling of the word "General".

Rep. Sandness moved that the House concur in the Senate Amendments to House Bill No. 139, which motion prevailed.

Rep. Sandness moved that the rules be suspended and House Bill No. 139 be considered properly re-engrossed and placed on second reading and final passage.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 7.

## Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sailer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur
Baumgartner	Hegge	Schimke
Belzer	Herk	Schlafmann
Benno	Hildre	Schmalenberger
Bjella	Hofstrand	Schmidt, Logan
Blair	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Schwartz
Boucher	Isaak	Schnell
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Sellens
Burau	Johnson, Richland	Severson
Callahan	Langley	Sharpe
Collette	Larson	Shockman
Crockett	Leet	Skaar
Dalzell	Levin	Smart
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Luick	Still
Drovdal	Lysne	Stormon
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Richl'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker

## Absent and not voting:

Bymers	Klefstad	Stair
Graham	Olson, Bowman	Symington
Heckman		

So the bill passed as amended and the title was agreed to.

House Concurrent Resolution "M".

In line 2 of the title of the resolution after the word "of" insert the following:

"all accrued interest charges on".

In line 3 of the title after the word "loans" insert a period and strike out the balance of line 3 and all of line 4.

In line 34, after the word "permitting" insert the following:

"the cancellation of all accrued interest on".

In line 34, strike out the word "during" and all of lines 35, 36 and 37, and insert in lieu thereof the words "prior to 1943" and insert a period (.) thereafter.

Renumber all lines.

Rep. Sandness moved that the House concur in the Senate amendments to House Concurrent Resolution "M", which motion prevailed.

Rep. Sandness moved that the rules be suspended and House Concurrent Resolution "M" be placed on second reading and final passage.

Rep. Levin moved that House Concurrent Resolution "M", as amended, be adopted, which motion prevailed and House Concurrent Resolution "M" was adopted.

Senate Bill No. 67.

In line 20 after the word "monthly" insert the following: "by the Superintendent of the North Dakota State Hospital".

Rep. Severson moved that the House concur in the Senate amendments to Senate Bill No. 67, which motion prevailed.

Rep. Severson moved that the rules be suspended and Senate Bill No. 67 be placed on second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Haugen	Olson, Barnes
Allen, Grand Forks	Halcrow	Ostgulen
Allen, Pierce	Halvorson	Pyle
Anderson	Haugland	Rohrer
Arndt	Heckman	Sailer
Bagge	Hegge	Sandness
Baumgartner	Herk	Saumur
Belzer	Hildre	Schimke
Benno	Hofstrand	Schlafmann
Bjella	Hogoboom	Schmalenberger
Blair	Hovey	Schmidt, Logan
Bolmeier	Isaak	Schmidt, Morton
Boucher	Jennings	Schnell
Brady	Johnson, Cass	Schwartz
Bubel	Johnson, Richland	Seibel
Bureau	Klefstad	Sellens
Bymers	Langley	Severson
Callahan	Larson	Sharpe
Collette	Leet	Shockman
Crockett	Levin	Skaar
Dalzell	Lillehaugen	Smart
Devlin	Lindberg	Stanley
Dittmer	Luick	Sticka
Drawz	Lysne	Stormon
Drovdal	McInnes	Symington
Ekren	Maher	Thompson, Griggs
Engel	Moe	Wambheim
Falconer	Moerke	Welk
Fitch	Mollet	Westby
Fleck	Monson	Wolf, McIntosh

Frank	Mork	Wolf, Morton
Fuglestad	Mortenson	Yirchott
Gainor	Nystrom	Mr. Speaker
Haag	Ohnstad	

Those voting in the negative were:

Esterby	Grenier	Tuff
Forseth	Still	Wollitz
Fraser	Thompson, Richl'nd	

Absent and not voting:

Graham	Olson, Bowman	Stair
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So the bill as amended passed and the title was agreed to and the emergency clause was declared carried.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of House Bill No. 38.

W. J. TROUT, Secretary.

Rep. Haugen moved that the House accede to the request of the Senate.

Rep. Fitch offered as a substitute motion that the House do not accede to the request that House Bill No. 38 be returned to the Senate, which motion lost.

The question was on the motion of Rep. Haugen, which motion prevailed and House Bill No. 38 was ordered returned to the Senate.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return to the Senate House Bill No. 38, which has been requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

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 Senate Bill No. 8, Reps. Symington, Stormon and Sticka.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

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 Senate Bill No. 146, Reps. Levin, Dalzell and Collette.

KENNETH L. MORGAN, Chief Clerk.

#### GENERAL ORDERS

Rep. McInnes moved that the House resolve itself into a committee of the whole for the consideration of general orders, which motion prevailed and the House resolved itself into a committee of the whole.

The Speaker called Rep. McInnes to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

Senate Bill No. 28.

Line 3—Strike out the figures "\$260,020.60" and insert in lieu thereof the figures "\$265,020.60".

Line 9—Change the word "Com'r" to read "Commissioner".

Line 11—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

After line 22 insert a new line as follows:

Chemistry Tables and Installation .....5,000.00".

Line 23—Strike out the figures "\$260,020.60" and insert in lieu thereof the figures "\$265,020.60".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

Senate Bill No. 27.

Line 3—Strike out the figures "\$4,400.00" and insert in lieu thereof the figures "\$20,390.00".

Line 9—Strike out the figures "\$300.00" and insert in lieu thereof the figures "\$750.00".

Line 10—Strike out the figures "400.00" and insert in lieu thereof the figures "1,200.00".

Line 12—Strike out the figures "600.00" and insert in lieu thereof the figures "1,000.00".

Line 13—Strike out the figures "300.00" and insert in lieu thereof the figures "600.00".

Line 14—Strike out the figures "1,800.00" and insert in lieu thereof the figures "15,840.00".

Line 15—Strike out the figures "\$4,400.00" and insert in lieu thereof the figures "\$20,390.00".

And when so amended recommend the same do pass.

Senate Bill No. 17.

Line 3—Strike out the figures "\$13,965.00" and insert in lieu thereof the figures "\$13,485.00".

Line 11—Strike out the figures "3,240.00" and insert in lieu thereof the figures "2,760.00".

Line 12—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture".

Line 17—Strike out the figures "\$13,965.00" and insert in lieu thereof the figures "\$13,485.00".

Line 20—Strike out the words "to the credit of Coal Mine Safety Fund".

Line 26—Strike out the word "Fund".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

Senate Bill No. 2.

Line 16—Strike out the figures "50,000.00" and insert in lieu thereof the figures "45,000.00".

Line 18—Change the word "Intern'l" to read "International" and "Com'rs" to read "Commissioners".

Line 20—Change the abbreviations “U. S.” to read “United States”.

Line 22—Change the abbreviations “U. S.” to read “United States”.

Line 26—Strike out the figures “20,000.00” and insert in lieu thereof the figures “25,000.00”.

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

Senate Bill No. 5.

Line 3—Strike out the figures “\$256,368.00” and insert in lieu thereof the figures “\$240,408.00”.

Line 17—Strike out the figures “102,000.00” and insert in lieu thereof the figures “90,000.00”.

Line 18—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 26—Strike out the figures “\$151,920.00” and insert in lieu thereof the figures “\$139,920.00”.

Line 28—Strike out the figures “\$40,000.000” and insert in lieu thereof the figures “\$36,040.00”.

Line 29—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 35—Strike out the figures “\$52,800.00” and insert in lieu thereof the figures “\$48,840.00”.

Line 38—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 46—Change the word “Prtg.” to read “Printing” and “Furn.” to “Furniture”.

Line 52—Strike out the figures “\$256,368.00” and insert in lieu thereof the figures “\$240,408.00”.

And when so amended recommend the same do pass.

REP. McINNES, Chairman,  
Committee of the Whole.

Rep. Westby moved that the report of the Committee of the Whole be adopted, which motion prevailed and the report was adopted.

Rep. Lillehaugen moved that the vote by which Senate Bill No. 188 was passed be reconsidered, which motion was lost.

## SECOND READING OF SENATE BILLS

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 53; nays, 47; absent and not voting, 12.

Those voting in the affirmative were:

Allen, Pierce	Halcrow	Schmalenberger
Arndt	Haugland	Schnell
Bagge	Herk	Sellens
Benno	Hovey	Severson
Bjella	Johnson, Cass	Sharpe

Blair	Johnson, Richland	Skaar
Bolmeier	Langley	Smart
Brady	Larson	Stanley
Burau	Leet	Sticka
Bymers	Luick	Still
Callahan	McInnes	Stormon
Collette	Nystrom	Thompson, Griggs
Dalzell	Ohnstad	Wambheim
Drawz	Olson, Barnes	Westby
Ekren	Pyle	Wolf, Morton
Falconer	Sailer	Yirchott
Fleck	Sandness	Mr. Speaker
Fuglestad	Saumur	
Those voting in the negative were:		
Acheson	Grenier	Monson
Anderson	Haag	Mork
Baumgartner	Halvorson	Ostgulen
Belzer	Haugen	Rohrer
Boucher	Heckman	Schlafmann
Bubel	Hogoboom	Schmidt, Logan
Crockett	Isaak	Schmidt, Morton
Devlin	Jennings	Schwartz
Dittmer	Levin	Seibel
Drovdal	Lillehaugen	Shockman
Engel	Lindberg	Thompson, Richl'nd
Esterby	Lysne	Tuff
Forseth	Maher	Welk
Frank	Moe	Wolf, McIntosh
Fraser	Moerke	Wollitz
Gainor	Mollet	
Absent and not voting:		
Allen, Grand Forks	Hildre	Olson, Bowman
Fitch	Hofstrand	Schimke
Graham	Klefstad	Stair
Hegge	Mortenson	Symington

So the bill was declared lost.

Rep. Wolf of McIntosh moved that the vote by which Senate Bill No. 192 was lost be reconsidered and the motion to reconsider be laid on the table.

On a voice vote the Chair was in doubt.

A rising vote disclosed 45 voting for and 46 against so the motion was lost.

Rep. Johnson of Richland: I want to explain my vote. I am voting "aye" on this bill because it extends the benefits of social security, when and if the act is enacted, to state employees. I think it is a good act and there is not any reason why there should be a distinction between employees working for the state and working for private individuals.

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service of the United States to Hunt, Fish or Trap, Without License Therefor for the Duration of the Present War, and for Six Months Thereafter, While on Furlough.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Pierce	Haag	Pyle
Anderson	Halcrow	Rohrer
Arndt	Halvorson	Sailer
Bagge	Haugen	Sandness
Baumgartner	Haugland	Saumur
Belzer	Heckman	Schlafmann
Benno	Hegge	Schmaleberger
Bjella	Herk	Schmidt, Logan
Blair	Hofstrand	Schmidt, Morton
Bolmeier	Hogoboom	Schnell
Boucher	Hovey	Schwartz
Brady	Isaak	Seibel
Bubel	Jennings	Sellens
Bymers	Johnson, Cass	Severson
Callahan	Johnson, Richland	Sharpe
Collette	Klefstad	Shockman
Crockett	Langley	Skaar
Dalzell	Leet	Smart
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	McInnes	Thompson, Rich'nd
Esterby	Maher	Tuff
Falconer	Moe	Wambheim
Fitch	Moerke	Welk
Fleck	Mollet	Westby
Forseth	Monson	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker

Absent and not voting:

Allen, Grand Forks	Larson	Schimke
Bureau	Mortenson	Stair
Graham	Olson, Bowman	Stanley
Hildre		

So the bill as amended passed and the title was agreed to and the emergency clause was declared carried..

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 14; absent and not voting, 12.

Those voting in the affirmative were:

Acheson	Gainor	Rohrer
Allen, Pierce	Grenier	Sailer
Anderson	Halcrow	Sandness
Arndt	Halvorson	Saumur



Bagge	Haugen	Schlafmann
Baumgartner	Haugland	Schmalenberger
Benno	Heckman	Schmidt, Morton
Bjella	Herk	Schnell
Blair	Hofstrand	Seibel
Bolmeier	Hogoboom	Sellens
Boucher	Hovey	Severson
Brady	Isaak	Sharpe
Bubel	Jennings	Skaar
Bymers	Johnson, Cass	Smart
Callahan	Johnson, Richland	Stanley
Collette	Klefstad	Sticka
Crockett	Langley	Still
Dalzell	Leet	Stormon
Devlin	Luick	Thompson, Griggs
Dittmer	McInnes	Tuff
Drawz	Maher	Wambheim
Drovdal	Moerke	Welk
Ekren	Mollet	Westby
Engel	Mork	Wolf, McIntosh
Falconer	Nystrom	Wolf, Morton
Fleck	Ohnstad	Wollitz
Forseth	Olson, Barnes	Yirchott
Fraser	Ostgulen	Mr. Speaker
Fuglestad	Pyle	

Those voting in the negative were:

Belzer	Lindberg	Schwartz
Frank	Lysne	Shockman
Haag	Moe	Symington
Hegge	Monson	Thompson, Richl'nd
Levin	Schmidt, Logan	

Absent and not voting:

Allen, Grand Forks	Graham	Mortenson
Burau	Hildre	Olson, Bowman
Esterby	Larson	Schimke
Fitch	Lillehaugen	Stair

So the bill passed and the title was agreed to.

Senate Bill No. 86. A Bill for an Act to Deny to Defeated Candidates for Nomination to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office for Which They Were Defeated and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Was read the second time.

The Speaker called Rep. Wolf of McIntosh to the Chair.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 68; nays, 37; absent and not voting, 7.

Those voting in the affirmative were:

Allen, Pierce	Haugland	Ostgulen
Arndt	Heckman	Pyle
Bagge	Hegge	Sailer
Benno	Herk	Sandness
Bjella	Hildre	Saumur

Blair	Hofstrand	Sellens
Bolmeier	Hogoboom	Severson
Brady	Hovey	Sharpe
Bureau	Johnson, Cass	Skaar
Bymers	Johnson, Richland	Smart
Callahan	Klefstad	Stanley
Collette	Langley	Sticka
Dalzell	Leet	Still
Devlin	Lindberg	Stormon
Dittmer	Luick	Symington
Drawz	Lysne	Thompson, Griggs
Ekren	Maher	Thompson, Richl'nd
Fitch	McInnes	Wambheim
Fleck	Moe	Westby
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Grenier	Olson, Barnes	Mr. Speaker
Halcrow	Schnell	

Those voting in the negative were:

Acheson	Haag	Schimke
Anderson	Halvorson	Schlafmann
Baumgartner	Haugen	Schmalenberger
Belzer	Isaak	Schmidt, Logan
Bubel	Jennings	Schmidt, Morton
Crockett	Larson	Schwartz
Drovdal	Lillehaugen	Seibel
Engel	Moerke	Shockman
Esterby	Mollet	Tuff
Falconer	Monson	Welk
Forseth	Mork	Wolf, McIntosh
Frank	Rohrer	Wolf, Morton
Fraser		

Absent and not voting:

Allen, Grand Forks	Levin	Olson, Bowman
Boucher	Mortenson	Stair
Graham		

So the bill passed as amended and the title was agreed to.

Rep. Bolmeier moved that the vote by which Senate Bill No. 86 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 11, 87, 117, 118, 139, 142 and House Concurrent Resolution M.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to Senate Bill No. 67.

Senate Bill No. 67 attached hereto.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to return:

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

The Speaker resumed the Chair.

Senate Bill No. 72. A Bill for an Act Accepting from the United States the Lands and Improvements Comprising the Bismarck Indian School Plant, to Be Known as Fraine Barracks, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 2; absent and not voting, 14.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Pierce	Haag	Pyle
Anderson	Halcrow	Sailer
Arndt	Halvorson	Sandness
Bagge	Haugen	Schimke
Baumgartner	Haugland	Schlafmann
Belzer	Heckman	Schmidt, Logan
Benno	Hegge	Schmidt, Morton
Bjella	Herk	Schnell
Blair	Hildre	Schwartz
Bolmeier	Hofstrand	Seibel
Bureau	Hogoboom	Sellens
Bymers	Hovey	Severson
Callahan	Isaak	Sharpe
Collette	Jennings	Shockman
Crockett	Johnson, Richland	Skaar
Dalzell	Klefstad	Smart
Devlin	Langley	Still
Dittmer	Larson	Stanley
Drawz	Leet	Sticka
Drovdal	Lillehaugen	Stormon
Ekren	Lindberg	Symington
Engel	Luick	Thompson, Rich'nd
Esterby	Lysne	Tuff
Fitch	McInnes	Wambheim
Fleck	Maher	Welk
Forseth	Moerke	Westby
Frank	Mollet	Wolf, McIntosh
Fraser	Mork	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Falconer	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Johnson, Cass Moe

Absent and not voting:

Allen, Grand Forks	Levin	Saumur
Boucher	Monson	Schmalenberger

Brady  
 Bubel  
 Graham

Mortenson  
 Olson, Bowman  
 Rohrer

Stair  
 Thompson, Griggs

So the bill as amended passed and the title was agreed to and the emergency clause was declared carried.

Rep. Moe: I want to explain my vote. I want to vote "no" on this. It might develop into a white elephant.

#### MESSAGES FROM THE SENATE

Senate Chamber  
 Bismarck, February 27, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee, on House Bill No. 196, Senators Foss, Dahlen and Nordhousen.

W. J. TROUT, Secretary.

Senate Chamber  
 Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for Loss or Damage Arising from the Operation of any Motor Vehicle.

House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status, Issued by the Secretaries of War and Navy and Other Federal Officers and Employees, and Declaring an Emergency.

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing: Classification 5.

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Transfer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six

Years Old and Deposit to General Fund and Subsequent Payment.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

House Bill No. 210. A Bill for an Act to Amend and Re-enact Section 61-1230 of the North Dakota Revised Code of 1943.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "D".

House Concurrent Resolution "K." Regarding Service Performed by the Farm Security Administration, in the Rehabilitation of Farmers Upon the Soil.

House Concurrent Resolution "V".

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood, Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

House Joint Resolution No. 1.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 46. A Bill for an Act Requiring That County Auditors Be Notified Whenever Lands Owned by the State as Trustee of the Permanent School Fund Are Sold Upon Contract Providing for a Future Conveyance; and Providing Penalty for Failure to Do So; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor. Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under

Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund of the State, and Declaring an Emergency.

House Bill No. 136. A Bill for an Act to Repeal Sub-section 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribution of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Corporations by the Commissioner of Insurance; Investment of Funds and Declaring an Emergency.

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of Said Construction Fund; Fixing a Penalty for Unlawful Withdrawal of Such Construction Fund; and Declaring an Emergency.

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 4-1005 of the North Dakota Revised Code of 1943 Relative to Labeling, Branding or Tagging Potatoes Being Transported or Offered for Sale or Consignment.

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

Which the President has signed.

W. J. TROUT, Secretary.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

## House Resolution No. 3.

And the Speaker signed the same in the presence of the House.

Rep. Haugen requested that the House be on the fifth order of business for the consideration of the Standing Committee Report on Senate Bill No. 87, which request was granted.

Rep. Johnson of Richland demanded a Call of the House.

The Sergeant-at-Arms was instructed to close the doors.

The roll was called and revealed all members present except Reps. Graham and Olson of Bowman.

Rep. Johnson of Richland moved that the Call of the House be dispensed with, which motion prevailed.

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 27, 1945

Mr. President: I have the honor to transmit:

House Resolution No. 3. A Resolution of Impeachment of Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota.

Which the House has passed and you are requested to notify the Governor.

KENNETH L. MORGAN, Chief Clerk.

## REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 87, have had the same under consideration and recommend that the same be amended as follows:

In line 94 of the Bill, after the word "Events" strike out the balance of the line and line 95 to and including the word "slot". And when so amended recommend the same out without recommendation due to the fact that the vote of the Committee was equally divided on the question of whether it should be recommended for passage as amended, or for indefinite postponement.

REP. McINNES, Chairman.

Rep. Haugen moved that the report be adopted.

Rep. Johnson of Richland offered as a substitute motion that Senate Bill No. 87 be placed on the calendar.

Rep. Crockett moved that Senate Bill No. 87 be laid over one legislative day, which motion lost.

The question was on the substitute motion of Rep. Johnson of Richland, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and Senate Bill No. 87 be placed on second reading and final passage at this time, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deduc-

tions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 25; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Gainor	Olson, Barnes
Allen, Grand Forks	Grenier	Ostgulen
Allen, Pierce	Halcrow	Pyle
Arndt	Haugen	Rohrer
Bagge	Haugland	Sailer
Baumgartner	Heckman	Sandness
Benno	Hegge	Saumur
Bjella	Herk	Schimke
Blair	Hildre	Schlafmann
Bolmeier	Hofstrand	Schmalenberger
Boucher	Hogoboom	Schnell
Bubel	Hovey	Sellens
Burau	Isaak	Severson
Bymers	Jennings	Sharpe
Callahan	Johnson, Cass	Skaar
Collette	Johnson, Richland	Smart
Crockett	Klefstad	Stanley
Dalzell	Langley	Sticka
Devlin	Larson	Still
Dittmer	Leet	Stormon
Drawz	Lillehaugen	Thompson, Griggs
Drovdal	Luick	Wambheim
Ekren	Lysne	Welk
Esterby	McInnes	Westby
Falconer	Maher	Wolf, Morton
Fleck	Moe	Wollitz
Forseth	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker

Those voting in the negative were:

Anderson	Levin	Schmidt, Morton
Belzer	Lindberg	Schwartz
Brady	Moerke	Seibel
Engel	Mollet	Shockman
Fitch	Monson	Symington
Frank	Mork	Thompson, Richl'nd
Fraser	Mortenson	Tuff
Haag	Schmidt, Logan	Wolf, McIntosh
Halvorson		

Absent and not voting:

Graham	Olson, Bowman	Stair
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So the bill passed and the title was agreed to.

Rep. Crockett changed his vote from 'No' to 'Aye' for the purpose of reconsideration.

### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:



Mr. Speaker: Your Committee on Enrollment and En-grossment respectfully report that:

House Resolution No. 3.

Was delivered to the Secretary of State at the hour of 9:50 o'clock p. m., February 27, 1945.

REP. LEET, Chairman.

Mr. Speaker: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following resolution:

House Resolution No. 3.

And find the same correctly Enrolled.

REP. LEET, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 27, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 128 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 128, have had the same under consideration and recommend:

In line 6 strike out the figures \$30,000 and insert in lieu thereof the figures \$25,000 and when so amended, recommend same for passage.

For the House:

D. S. BLAIR  
L. E. CALLAHAN  
J. N. MOLLET

For the Senate:

RILIE R. MORGAN  
J. B. BRIDSTON  
R. H. LYNCH

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Blair moved that the rules be suspended and Senate Bill No. 128 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Was read the 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:

Acheson	Haag	Olson, Barnes
Allen, Grand Forks	Halcrow	Ostgulen
Allen, Pierce	Halvorson	Pyle
Anderson	Haugen	Sailer
Arndt	Haugland	Sandness
Bagge	Heckman	Saumur
Baumgartner	Herk	Schimke
Belzer	Hildre	Schlafmann
Benno	Hofstrand	Schmalenberger
Bjella	Hogoboom	Schmidt, Morton
Blair	Hovey	Schnell
Bolmeier	Isaak	Schwartz
Boucher	Jennings	Sellens
Brady	Johnson, Cass	Sharpe
Bubel	Johnson, Richland	Skaar
Burau	Klefstad	Smart
Callahan	Langley	Stanley
Collette	Leet	Stair
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Still
Dittmer	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Esterby	McInnes	Thompson, Rich'nd
Falconer	Maher	Tuff
Fitch	Moe	Wambheim
Forseth	Moerke	Westby
Frank	Mollet	Wolf, McIntosh
Fraser	Monson	Wolf, Morton
Fuglestad	Mork	Wollitz

Gainor	Nystrom	Yirchott
Grenier	Ohnstad	Mr. Speaker
Absent and not voting:		
Bymers	Hegge	Schmidt, Logan
Crockett	Larson	Seibel
Ekren	Mortenson	Severson
Engel	Olson, Bowman	Shockman
Fleck	Rohrer	Welk
Graham		

So the bill passed as amended and the title was agreed to.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 8 made the following report:

Mr. Speaker: Your Conference Committee, to whom was referred Senate Bill No. 8, have had the same under consideration and recommend:

That the Senate do concur to the House amendments.

For the Senate:

M. R. YOUNG

E. C. STUCKE

W. J. BRAUN

For the House:

EARL D. SYMINGTON

LEO STICKA

HARRY STORMON

Rep. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 49 made the following report:

Mr. Speaker: Your Conference Committee, to whom was referred House Bill No. 49, have had the same under consideration and recommend:

That the Senate recede from its amendment to House Bill No. 49.

For the Senate:

P. L. FOSS

G. L. FETON

ROB. GREISER

For the House:

CURTIS OLSON

DAVE HOVEY

K. A. FITCH

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

House of Representatives

Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Conference Committee amendment to House Bill No. 49.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives

Bismarck, February 27, 1945

Mr. President: I have the honor to inform you that the

House has concurred in the Conference Committee amendments to Senate Bill No. 128 and Senate Bill No. 8.

KENNETH L. MORGAN, Chief Clerk.

### SECOND READING OF SENATE BILLS

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 24-0105 of the North Dakota Revised Code of 1943, Relating to the Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Such Highways.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 9; absent and not voting, 24.

Those voting in the affirmative were:

Acheson	Fuglestad	Ostgulen
Arndt	Gainor	Sailer
Allen, Grand Forks	Grenier	Sandness
Allen, Pierce	Haag	Saumur
Anderson	Halcrow	Schlafmann
Bagge	Haugen	Schmalenberger
Baumgartner	Haugland	Schmidt, Morton
Benno	Heckman	Schnell
Bjella	Herk	Sellens
Blair	Hildre	Sharpe
Bolmeier	Hofstrand	Skaar
Boucher	Hogoboom	Smart
Brady	Jennings	Stair
Bubel	Johnson, Cass	Stanley
Burau	Langlely	Sticka
Bymers	Leet	Still
Callahan	Lillehaugen	Stormon
Collette	Luick	Symington
Dittmer	Lysne	Thompson, Rich'nd
Drawz	McInnes	Wambheim
Drovdal	Maher	Welk
Esterby	Monson	Wolf, McIntosh
Falconer	Mork	Wolf, Morton
Fleck	Nystrom	Wollitz
Forseth	Ohnstad	Yirchott
Frank	Olson, Barnes	Mr. Speaker
Fraser		

Those voting in the negative were:

Dalzell	Lindberg	Mollet
Halvorson	Moe	Thompson, Griggs
Isaak	Moerke	Tuff

Absent and not voting:

Belzer	Hovey	Rohrer
Crockett	Johnson, Richland	Schimke
Devlin	Klefstad	Schmidt, Logan
Ekren	Larson	Schwartz
Engel	Levin	Seibel
Fitch	Mortenson	Severson
Graham	Olson, Bowman	Shockman
Hegge	Pyle	Westby

So the bill passed and the title was agreed to.

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 0; absent and not voting, 23.

Those voting in the affirmative were:

Acheson	Grenier	Olson, Barnes
Allen, Grand Forks	Haag	Ostgulen
Allen, Pierce	Halcrow	Pyle
Anderson	Halvorson	Sailer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur
Baumgartner	Heckman	Schlafmann
Bjella	Herk	Schmidt, Morton
Blair	Hildre	Schnell
Bolmeier	Hofstrand	Sellens
Boucher	Hogoboom	Severson
Brady	Isaak	Sharpe
Bubel	Jennings	Skaar
Bureau	Johnson, Cass	Stair
Bymers	Johnson, Richland	Sticka
Callahan	Langley	Stanley
Dalzell	Leet	Still
Drawz	Levin	Stormon
Drovdal	Lillehaugen	Symington
Dittmer	Lindberg	Thompson, Rich'nd
Engel	Luick	Tuff
Esterby	Lysne	Wambheim
Falconer	McInnes	Welk
Fitch	Maher	Westby
Fleck	Moerke	Wolf, McIntosh
Forseth	Mollet	Wolf, Morton
Frank	Monson	Wollitz
Fraser	Mork	Yirchott
Fuglestad	Nystrom	Mr. Speaker
Gainor	Ohnstad	

Absent and not voting:

Belzer	Hovey	Schmalenberger
Benno	Klefstad	Schmidt, Logan
Collette	Larson	Schwartz
Crockett	Moe	Seibel
Devlin	Mortenson	Shockman
Ekren	Olson, Bowman	Smart
Graham	Rohrer	Thompson, Griggs
Hegge	Schimke	

So the bill passed as amended and the title was agreed to.

Rep. Thompson of Richland moved that the vote by which Senate Bill No. 186 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of

1943 Relating to License Required by Certain Motor Vehicles,  
and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 2; absent and not voting, 34.

Those voting in the affirmative were:

Acheson	Halvorson	Sailer
Allen, Pierce	Haugen	Sandness
Anderson	Haugland	Schlafmann
Bagge	Heckman	Schmidt, Morton
Baumgartner	Herk	Schnell
Bjella	Hildre	Sellens
Blair	Hofstrand	Severson
Bolmeier	Hogoboom	Sharpe
Boucher	Hovey	Skaar
Bubel	Isaak	Stair
Bymers	Jennings	Stanley
Dalzell	Langley	Sticka
Dittmer	Leet	Still
Drawz	Levin	Stormon
Drovdal	Lillehaugen	Symington
Engel	Lindberg	Thompson, Griggs
Esterby	Luick	Thompson, Richl'nd
Falconer	Lysne	Tuff
Fleck	Moerke	Wambheim
Forseth	Mollet	Welk
Frank	Monson	Wolf, McIntosh
Fraser	Mork	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Grenier	Ohnstad	Yirchott
Haag	Ostgulen	Mr. Speaker
Halcrow		

Those voting in the negative were:

Arndt Westby

Absent and not voting:

Allen, Grand Forks	Graham	Olson, Bowman
Belzer	Hegge	Pyle
Benno	Johnson, Cass	Rohrer
Brady	Johnson, Richland	Saumur
Bureau	Klefstad	Schimke
Callahan	Larson	Schmalenberger
Collette	McInnes	Schmidt, Logan
Crockett	Maher	Schwartz
Devlin	Moe	Seibel
Ekren	Mortenson	Shockman
Fitch	Olson, Barnes	Smart
Gainor		

So the bill passed as amended and the title was agreed to and the emergency clause was declared carried.

Rep. Welk moved that the vote by which Senate Bill No. 135 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Isaak moved that the House recess until 1:00 o'clock p.m., tomorrow, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

FIFTY-SEVENTH DAY AFTER RECESS  
AND FIFTY-EIGHTH DAY

Bismarck, February 28, 1945

The House reconvened at 1:00 o'clock p.m., pursuant to recess taken, Speaker Bergesen presiding.

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 28, 1945

Mr. President: I have the honor to return:

Senate Bill No. 135: A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 146 made the following report:

Mr. Speaker: Your Conference Committee, to whom was referred Senate Bill No. 146, have had the same under consideration and recommend:

In line 11 of the engrossed bill after the word "exceed" strike out the numerals "\$4.25" and insert in lieu thereof the numerals "\$4.75".

That the Senate accept all other House amendments.

For the Senate:

HJALMER NELSON  
RILIE R. MORGAN  
MELVIN OLSON

For the House:

PALMER LEVIN  
ALEX DALZELL  
WILFRED COLLETTE

Rep. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Levin moved that the rules be suspended and Senate Bill No. 146 placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 0; absent and not voting, 28.

Those voting in the affirmative were:

Acheson	Graham	Olson, Barnes
Allen, Pierce	Grenier	Ostgulen
Anderson	Haag	Pyle
Arndt	Halcrow	Rohrer
Baumgartner	Halvorson	Sandness
Belzer	Haugen	Saumur
Benno	Heckman	Schlafmann
Bjella	Hegge	Schmalenberger
Blair	Herk	Schmidt, Logan
Bolmeier	Hildre	Seibel
Boucher	Hofstrand	Severson
Brady	Hogoboom	Sharpe
Bureau	Hovey	Shockman
Bubel	Jennings	Stanley
Collette	Johnson, Richland	Sticka
Dalzell	Langley	Still
Devlin	Leet	Stormon
Dittmer	Levin	Symington
Drawz	Lindberg	Thompson, Griggs
Drovdal	Luick	Thompson, Richl'nd
Ekren	Lysne	Tuff
Engel	McInnes	Wambheim
Esterby	Moe	Welk
Falconer	Moerke	Westby
Fitch	Mollet	Wolf, McIntosh
Frank	Monson	Wolf, Morton
Fraser	Mork	Yirchott
Fuglestad	Nystrom	Mr. Speaker

Absent and not voting:

Allen, Grand Forks	Johnson, Cass	Schimke
Bagge	Klefstad	Schmidt, Morton
Bymers	Larson	Schnell
Callahan	Lillehaugen	Schwartz
Crockett	Maher	Sellens
Fleck	Mortenson	Skaar
Forseth	Ohnstad	Smart
Gainor	Olson, Bowman	Stair
Haugland	Sailer	Wollitz
Isaak		

So the bill passed as amended and the title was agreed to.

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 14.  
House Bill No. 26.



House Bill No. 69.  
 House Bill No. 79.  
 House Bill No. 92.  
 House Bill No. 106.  
 House Bill No. 115.  
 House Bill No. 165.  
 House Bill No. 188.  
 House Bill No. 210.

And find the same correctly Enrolled.

REP. LEET, 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 Education to whom was referred Senate Bill No. 99, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. LANGLEY, Chairman.

Rep. Sharpe moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Mollet moved that the vote by which Senate Bill No. 99 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Education, to whom was referred Senate Bill No. 98, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. LANGLEY, Chairman.

Rep. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Welk moved that the vote by which Senate Bill No. 98 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 149, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. LANGLEY, Chairman.

Rep. Gainor moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Mollet moved that the vote by which Senate Bill No. 149 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 120, have had the same under consideration and recommend that the same do pass.

REP. LANGLEY, Chairman.

Rep. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 94, have had the same under consideration and recommend that the same do pass.

REP. LANGLEY, Chairman.

Rep. Heckman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education, to whom was referred Senate Bill No. 97, have had the same under consideration and recommend that the same do pass.

REP. LANGLEY, Chairman.

Rep. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education, to whom was referred Senate Bill No. 140, have had the same under consideration and recommend that the same do pass.

REP. LANGLEY, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 75, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BOLMEIER, Chairman.

Rep. Haugland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Wolf of McIntosh moved that the vote by which Senate Bill No. 75 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 115, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of "Section 8." and renumber the sections and lines accordingly.

And when so amended recommend the same do pass.

REP. BOLMEIER, Chairman.

Rep. Haugland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bolmeier moved that the rules be suspended and Senate Bill No. 115 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 115 placed on the calendar.

Mr. Speaker: Your Committee on Game and Fish to whom was referred Senate Bill No. 198, have had the same under consideration and recommend that the same be amended as follows:

In line 32 strike out the word "six" and insert the word "two".

About the middle of the title, strike out after the word exceptions; "section 20-0310, of the North Dakota Revised Code of 1943, relating to license to hunt big game required; penalty;"

Strike out Section 10 of the bill in its entirety.

Renumber lines and sections in accordance.

And when so amended recommend the same do pass.

REP. BENNO, Chairman.

Rep. Saumur moved that the report be adopted.

Rep. Falconer moved that Senate Bill No. 198 as amended be indefinitely postponed.

Rep. Allen of Grand Forks offered as a substitute motion that Senate Bill No. 198 as amended do pass, which motion was lost.

A division was asked for and which revealed 47 voting for and 45 against so the motion prevailed.

Rep. Benno moved that the rules be suspended and Senate Bill No. 198 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 198 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:

House Bill No. 46.  
House Bill No. 65.  
House Bill No. 100.  
House Bill No. 127.  
House Bill No. 136.  
House Bill No. 187.  
House Bill No. 200.  
House Bill No. 242.  
House Bill No. 248.  
House Bill No. 281.

Were delivered to the Governor for his approval at the hour of 1:15 o'clock p. m., February 28, 1945.

REP. LEET, Chairman.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that:

House Concurrent Resolution "D".  
House Concurrent Resolution "K".  
House Concurrent Resolution "V".  
House Concurrent Resolution "Y".  
House Joint Resolution No. 1.

Were delivered to the Secretary of State at the hour of 1:25 o'clock p. m., February 28, 1945.

REP. LEET, Chairman.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, February 28, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee amendment to Senate Bill No. 146.

KENNETH L. MORGAN, Chief Clerk.

Rep. Bubel moved that the vote by which Senate Bill No. 192 was lost be reconsidered, which motion prevailed.

Rep. Bubel moved that the rules be suspended and Senate

Bill No. 192 placed on the calendar, which motion prevailed.

Rep. Johnson of Cass moved that the vote by which Senate Bill No. 59 was lost be reconsidered, which motion prevailed.

A division was called for and which revealed 55 voting for and 39 against, so the motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and Senate Bill No. 59 placed on the calendar, which motion prevailed.

Rep. Callahan moved that the vote by which Senate Bill No. 129 was lost be reconsidered, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and Senate Bill No. 129 placed on the calendar.

### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Senate Bill No. 57. A Bill for an Act Defining Isonipecaine and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax; Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 50-0701, 50-0703, and 50-0715 of the North Dakota Revised Code of 1943 Pertaining to Definitions, Eligibility for Assistance, Payment of Assistance to Guardian for Benefit of Recipient, and Providing for Authority to Compromise and Settle Claims, for Old Age Assistance.

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 61-2142 of the North Dakota Revised Code of 1943, as Amended by Chapter 14 of the 1944 Special Session Laws, Relating to Repairs of Existing Drains and Declaring an Emergency.

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of Premises and Report by the State Department of Health and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and Concerning Need for Such Homes in Any Given Community; and Providing for a Penalty.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 14.  
House Bill No. 26.  
House Bill No. 69.  
House Bill No. 79.  
House Bill No. 92.  
House Bill No. 106.  
House Bill No. 115.  
House Bill No. 165.  
House Bill No. 188.  
House Bill No. 210.  
Senate Bill No. 48.  
Senate Bill No. 57.  
Senate Bill No. 88.  
Senate Bill No. 116.

Senate Bill No. 117.  
 Senate Bill No. 130.  
 Senate Bill No. 150.  
 Senate Bill No. 154.  
 Senate Bill No. 204.

And the Speaker signed the same in the presence of the House.

#### MESSAGES FROM THE SENATE

Senate Chamber  
 Bismarck, February 28, 1945

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of Senate Bill No. 198.

W. J. TROUT, Secretary.

Senate Chamber  
 Bismarck, February 28, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 8.

W. J. TROUT, Secretary.

Rep. Bolmeier moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

#### FIFTY-EIGHTH DAY

Bismarck, February 28, 1945

The House convened at 2:00 o'clock p.m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. Joseph Bachman.

Roll call: All members present except Reps. Olson of Bowman, Forseth, Sailer and Schmidt of Morton.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-Sixth Day After Recess and Fifty-Seventh Day and recommends that the same be corrected as follows:

On page 940 in line 13 from the bottom change the initial "R" to "A".

On page 928 in line 16 from the bottom of the page change 44 to 46.

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted.

Rep. Mork moved that the report be further amended to show that he voted "No" on Senate Bill No. 86 and that the results of the Roll Call be changed accordingly, which motion prevailed and the report as amended was adopted.

Rep. Johnson of Richland moved that the Senate be requested to return Senate Bill No. 129, which motion prevailed.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, February 23, 1945

Mr. President: I have the honor to request the return of Senate Bill No. 129.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 28, 1945

Mr. President: I have the honor to transmit:

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for Loss or Damage Arising from the Operation of any Motor Vehicle.

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-enacting, Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0608, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status, Issued by the Secretaries of War and Navy and Other Federal Officers and Employees, and Declaring an Emergency.

House Bill No. 115. A Bill for an Act Authorizing County Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic Beverages from Having Any Financial Interest in the Business of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers from Giving Financial Aid or Furnishing Fixtures or Other Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Transfer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

House Bill No. 210. A Bill for an Act to Amend and Re-enact Section 61-1230 of the North Dakota Revised Code of 1943.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 28, 1945

Mr. President: I have the honor to return:

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service of the United States to Hunt, Fish or Trap, Without License Therefor for the Duration of the Present War, and for Six Months Thereafter, While on Furlough.

Senate Bill No. 72. A Bill for an Act Accepting from the United States the Lands and Improvements Comprising the Bismarck Indian School Plant, to Be Known as Fraine Barracks, and Declaring an Emergency.

Senate Bill No. 86. A Bill for an Act to Deny to Defeated Candidates for Nomination to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office for Which They Were Defeated and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 24-0105 of the North Dakota Revised Code of 1943, Relating to the Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Such Highways.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, February 28, 1945

Mr. President: I have the honor to return:

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota



for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Senate Bill No. 57. A Bill for an Act Defining Isonipecaine and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax: Repealing All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Concurrent Resolution No. 13, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Still moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Concurrent Resolution No. 8, have had the same under consideration and recommend that the same be amended as follows:

In line 17 strike out the comma after the word "route"; insert a period in lieu thereof and strike out the remainder of the section.

And when so amended recommend the same do pass.

REP. FITCH, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the rules be suspended and Senate Concurrent Resolution No. 8 be amended as recommended

by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Concurrent Resolution No. 8 placed on the calendar.

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 142, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 206, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred Senate Bill No. 173, have had the same under consideration and recommend that the same be amended as follows:

In line 15 after the comma insert the following: "not more than".

In line 18 strike the period after the word "state"; insert in lieu thereof a comma and add the following: "and shall be so located as to residence that each of four sections of the state (the southwest, northwest, northeast, and southeast) shall have equal representation on such committee."

In line 80 delete the following: "thereof, the Public Service Commission," and in line 81 delete the word "and". Insert in lieu thereof the following: "of the State including".

And when so amended recommend the same do pass.

REP. FITCH, Chairman.

Rep. Westby moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the rules be suspended and Senate Bill No. 173 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted.

Rep. Fitch moved that Senate Bill No. 173 be re-referred to the Committee on Appropriations, which motion prevailed.

The Speaker named as members of the Board of Managers to act on the impeachment proceedings instituted by House Resolution No. 3 the following members of the House: Reps. Johnson of Cass, Bagge, Bymers, Callahan and Ohnstad.

Rep. Johnson of Richland moved that the members named by the Speaker as members of the Board of Managers be voted as the choice of the House, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 201.

On page 2 of the original bill in line 34 after the word "newspaper" insert a comma and add the following: "managing officer of any printing establishment, radio station, novelty concern, poster or billboard advertising company".

In line 35 after the word "printing" insert the words "or furnishing".

Rep. Fitch moved that House Bill No. 201 be indefinitely postponed.

Rep. Haugen offered as a substitute motion that the House concur in the Senate amendments to House Bill No. 201.

Rep. Crockett moved that the motion of Rep. Haugen be laid on the table, which motion lost.

The question was on the motion of Rep. Haugen, which motion prevailed.

Rep. Wolf of McIntosh moved that the rules be suspended and House Bill No. 201 be considered properly re-engrossed and placed on second reading and final passage.

Rep. Blair offered as a substitute motion that House Bill No. 201 be placed at the foot of the calendar, which motion lost.

Rep. Fitch moved that further consideration of House Bill No. 201 be deferred one legislative day, which motion lost.

The question was on the motion of Rep. Wolf of McIntosh.

Rep. Fitch moved to amend the motion of Rep. Wolf of McIntosh by striking out the words "placed on second reading and final passage", which motion lost.

The question was on the motion of Rep. Wolf of McIntosh, which motion prevailed and House Bill No. 201 as amended was placed on the Calendar.

#### SECOND READING OF HOUSE BILLS

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 12; absent and not voting, 14.

Those voting in the affirmative were:

Acheson	Fuglestad	Mork
Allen, Grand Forks	Gainor	Ohnstad
Allen, Pierce	Graham	Ostgulen
Anderson	Grenier	Rohrer
Bagge	Haag	Sandness
Baumgartner	Halcrow	Saumur
Belzer	Halvorson	Schlafmann
Benno	Haugen	Schmalenberger
Bjella	Haugland	Schmidt, Logan
Blair	Heckman	Schwartz
Bolmeier	Hegge	Seibel
Boucher	Herk	Sellens
Bubel	Hildre	Severson
Bureau	Hofstrand	Sharpe
Bymers	Hogoboom	Shockman
Callahan	Jennings	Skaar

Collette	Johnson, Richland	Smart
Dalzell	Langley	Stanley
Drawz	Leet	Sticka
Drovdal	Levin	Still
Ekren	Lillehaugen	Stormon
Engel	Lindberg	Thompson, Griggs
Esterby	Luick	Tuff
Falconer	Lysne	Welk
Fitch	McInnes	Westby
Fleck	Maher	Wolf, McIntosh
Forseth	Moerke	Wollitz
Frank	Mollet	Mr. Speaker
Fraser	Monson	

Those voting in the negative were:

Arndt	Larson	Pyle
Brady	Moe	Schimke
Crockett	Mortenson	Stair
Johnson, Cass	Nystrom	Thompson, Richl'nd

Absent and not voting:

Devlin	Olson, Barnes	Symington
Dittmer	Olson, Bowman	Wambheim
Hovey	Sailer	Wolf, Morton
Isaak	Schmidt, Morton	Yirchott
Klefstad	Schnell	

So the bill passed as amended and the title was agreed to.  
Rep. Fitch voted "aye" for the purpose of reconsideration.

MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return Senate Bill No. 129 which the House requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 146.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 49.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

- Senate Bill No. 24.
- Senate Bill No. 71.
- Senate Bill No. 124.
- Senate Bill No. 135.
- Senate Bill No. 186.

W. J. TROUT, Secretary.

## SEVENTH ORDER OF BUSINESS

Rep. Bubel moved that the request of the Senate to return Senate Bill No. 198 be granted.

Rep. Benno offered as a substitute motion that the House do not grant the request of the Senate to return Senate Bill No. 198.

Rep. Johnson of Richland moved that action on the request of the Senate be deferred for one hour, which motion prevailed.

Rep. Johnson of Cass moved that the report of the Legislative Interim Investigating Committee be adopted.

On a voice vote the Chair was in doubt.

A rising vote disclosed 49 voting for and 35 against so the motion prevailed and the Report was adopted.

MESSAGE FROM THE GOVERNOR  
STATE OF NORTH DAKOTA  
OFFICE OF THE GOVERNOR

Bismarck, February 27, 1945

To the House of Representatives  
House Chambers  
Bismarck, North Dakota  
Gentlemen:

This is to advise you that I have approved and signed the following House Bills: Number 107, 116, 128, 137, 138, 141, 160, 171, 198, and 280.

And the same have been delivered to the Secretary of State's Office.

Respectfully,

FRED G. AANDAHL,  
Governor of North Dakota.

CONSIDERATION OF MESSAGES FROM THE SENATE  
House Bill No. 159.

In line 109 strike out "ised" and insert "used".

Rep. Fitch moved that the House concur in the Senate amendments to House Bill No. 159, which motion prevailed.

Rep. Fitch moved that the rules be suspended and House Bill No. 159 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 2; absent and not voting, 21.

Those voting in the affirmative were:

Acheson	Gainor	Mortenson
Allen, Grand Forks	Graham	Nystrom
Allen, Pierce	Grenier	Ohnstad
Anderson	Haag	Ostgulen
Arndt	Halcrow	Pyle

Bagge	Halvorson	Rohrer
Baumgartner	Haugen	Sandness
Belzer	Haugland	Schlafmann
Bjella	Heckman	Schmidt, Logan
Blair	Hegge	Schwartz
Bolmeier	Herk	Sellens
Boucher	Hildre	Severson
Brady	Hofstrand	Sharpe
Bubel	Hogoboom	Shockman
Bureau	Jennings	Skaar
Bymers	Johnson, Richland	Smart
Callahan	Langley	Stair
Collette	Larson	Stanley
Dalzell	Leet	Still
Drovdal	Levin	Sticka
Ekren	Lillehaugen	Stormon
Engel	Lindberg	Thompson, Griggs
Esterby	Luick	Thompson, Richl'nd
Falconer	Lysne	Tuff
Fitch	Maher	Welk
Fleck	Moe	Westby
Forseth	Moerke	Wolf, McIntosh
Frank	Mollet	Wollitz
Fraser	Monson	Mr. Speaker
Fuglestad	Mork	

Those voting in the negative were:

Crockett                      Seibel

Absent and not voting:

Benno	Klefstad	Schmalenberger
Devlin	McInnes	Schmidt, Morton
Dittmer	Olson, Barnes	Schnell
Drawz	Olson, Bowman	Symington
Hovey	Sailer	Wambheim
Isaak	Saumur	Wolf, Morton
Johnson, Cass	Schimke	Yirchott

So the bill passed as amended and the title was agreed to.  
House Bill No. 61.

In line 28 strike out "not" and insert the word "nor".

Rep. Fitch moved that the House concur in the Senate amendment to House Bill No. 61, which motion prevailed.

Rep. Fitch moved that the rules be suspended and House Bill No. 61 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 26.

Those voting in the affirmative were:

Acheson	Fuglestad	Mork
Allen, Grand Forks	Graham	Mortenson
Allen, Pierce	Grenier	Nystrom

Anderson	Haag	Ohnstad
Arndt	Halcrow	Ostgulen
Bagge	Halvorson	Rohrer
Baumgartner	Haugen	Sandness
Bjella	Haugland	Schlafmann
Blair	Heckman	Schmalenberger
Bolmeier	Hegge	Schmidt, Logan
Boucher	Herk	Seibel
Brady	Hildre	Sellens
Bubel	Hofstrand	Sharpe
Burau	Hogoboom	Shockman
Bymers	Hovey	Skaar
Callahan	Jennings	Stair
Collette	Johnson, Richland	Stanley
Dalzell	Langley	Sticka
Drawz	Larson	Still
Drovdal	Leet	Stormon
Ekren	Levin	Thompson, Griggs
Engel	Lillehaugen	Tuff
Esterby	Lindberg	Welk
Falconer	Luick	Westby
Fitch	Lysne	Wolf, McIntosh
Fleck	Maher	Wollitz
Forseth	Moe	Yirchott
Frank	Moerke	Mr. Speaker
Fraser	Mollet	

## Absent and not voting:

Belzer	McInnes	Schnell
Benno	Monson	Schwartz
Crockett	Olson, Barnes	Severson
Devlin	Olson, Bowman	Smart
Dittmer	Pyle	Symington
Gainor	Sailer	Thompson, Richl'nd
Isaak	Saumur	Wambheim
Johnson, Cass	Schimke	Wolf, Morton
Klefstad	Schmidt, Morton	

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

## MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certificates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

House Bill No. 71. A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds

to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural College at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.

#### GENERAL ORDERS

Rep. Sticka moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Sticka to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

Senate Bill No. 22.

Line 3—Strike out the figures "\$31,400.00" and insert in lieu thereof the figures "\$45,700.00".

Line 9—Strike out the figures "\$6,600.00" and insert in lieu thereof the figures "\$8,400.00".

Line 10—Change the word "Ass't" to read "Assistant" and strike out the figures "4,800.00" and insert in lieu thereof the figures "9,600.00".

Line 11—Strike out the figures "10,000.00" and insert in lieu thereof the figures "12,000.00".

Line 12—Change the word "Prtg." to read "Printing" and "Furn." to "Furniture" and strike out the figures "3,000.00" and insert in lieu thereof the figures "4,000.00".

Add a new line as follows:

"12a Electric Light, Telephone and Telegraph 1,800.00"

Line 14—Strike out the figures "3,000.00" and insert in lieu thereof the figures "5,000.00".



Line 15—Strike out the figures “1,500.00” and insert in lieu thereof the figures “2,400.00”.

Line 17—Strike out the figures “\$31,400.00” and insert in lieu thereof the figures “\$45,700.00”.

And further amend by renumbering the lines.

In the title strike out the words “Veterans’ Service Commissioner” and insert in lieu thereof “Commissioner of Veterans’ Affairs”.

In line 5 of the Bill make the same amendment.

And recommend the same do pass as amended by the Standing Committee and further amended by the Committee of the Whole.

Senate Bill No. 69.

In line 5 of the title of the bill strike out the figures “\$150,000.00” and insert in lieu thereof the figures “\$100,000.00”.

In line 6 of the title of the bill strike out the figures “\$15,000.00” and insert in lieu thereof the figures “\$7,500.00”.

Line 48—Strike out the figures “\$150,000.00” and insert in lieu thereof the figures “\$100,000.00”.

Line 51—Strike out the figures “\$15,000.00” and insert in lieu thereof the figures “\$7,500.00”.

And when so amended recommend the same do pass.

Senate Bill No. 62.

And recommend that the same be indefinitely postponed.

Rep. STICKA, Chairman,  
Committee of the Whole.

Rep. Bolmeier moved that the report of the Committee of the Whole as to Senate Bills Nos. 22, 69 and 62 be adopted, which motion prevailed and the report was adopted.

The House had under consideration Senate Bill No. 194 which was amended in the Committee of the Whole as follows:

In line 6 of the title strike out the words “to amend and” and strike out all of lines 7 and 8 and the words “on individuals;” in line 9.

On page 4 of the printed bill strike out section 3 in its entirety.

And further recommended that the same be indefinitely postponed.

Rep. Johnson of Richland moved that Senate Bill No. 194 as amended by the Committee of the Whole be placed on the Calendar, which motion prevailed and Senate Bill No. 194 was placed on the Calendar.

#### \\ FIRST READING OF HOUSE RESOLUTIONS

The Joint Committee on Employment introduced:

#### HOUSE CONCURRENT RESOLUTION “AA”

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

- 1 WHEREAS, A complete record of action upon and
- 2 disposal of all bills introduced in the House and

3 Senate during this Session should be made available  
 4 to House and Senate members as quickly as possible,  
 5 such record to show what bills have been indefinitely  
 6 postponed, withdrawn or passed with notation of  
 7 Journal date and page of amendments thereto:  
 8 NOW, THEREFORE, BE IT RESOLVED BY THE  
 8a HOUSE OF  
 9 REPRESENTATIVES, THE SENATE CONCURRING,  
 9a That such  
 10 compilation be at once prepared in a pamphlet simi-  
 11 lar in size to the House and Senate Journals; that  
 12 Marie Tunell be employed for the House and Eveleen  
 13 Klautd be employed for the Senate, they working to-  
 14 gether to prepare such compilation immediately, a  
 15 copy of the same to be mailed as speedily as possible  
 16 by the House and Senate mailing force to each member  
 17 of the House and Senate, at the home address thereof.  
 18 That the said Marie Tunell and Eveleen Klautd be and  
 19 they are hereby respectively retained on this work  
 20 for the House and for the Senate for the period of  
 21 six days after the adjournment of this Legislative  
 22 Assembly, at their present pay, such compensation  
 23 with the printing expense of such pamphlet and of  
 24 mailing the same to be charged and paid as legisla-  
 25 tive expense.

Was read the first time and referred to the Committee on Employment.

The Joint Committee on Employment introduced:

HOUSE CONCURRENT RESOLUTION "BB"  
 LEGISLATIVE JOURNALS, COMPLETION OF

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

1 That W. J. Trout, Secretary of the Senate, and  
 2 Kenneth Morgan, Chief Clerk of the House, are hereby  
 3 authorized, empowered and employed to compare and  
 4 index the Journal of the Twenty-ninth Legislative As-  
 5 sembly, and to complete the Senate and House Journals  
 6 and mail out to the members the temporary Journals of  
 7 the last days of the Session, which have not been de-  
 8 livered to members before the close thereof; and the said  
 9 W. J. Trout, Secretary of the Senate, and Kenneth  
 10 Morgan, Chief Clerk of the House, are hereby directed  
 11 and required at their own cost and expense to arrange  
 12 for and procure sufficient assistance to insure that  
 13 the said work shall be completed within twenty days  
 14 after the adjournment of the session.

15 BE IT FURTHER RESOLVED, that for the services of  
 16 the said W. J. Trout, Secretary of the Senate, and  
 17 Kenneth Morgan, Chief Clerk of the House, as above set  
 18 forth, that they be paid the sum of \$400.00 each,  
 19 which shall include compensation for an assistant to  
 20 be selected by each, all to be paid as other legisla-  
 21 tive expense, and paid when the respective claims are  
 22 verified by the affidavits of the said W. J. Trout and  
 23 Kenneth Morgan showing completion of such work.

24 BE IT FURTHER RESOLVED, That the necessary  
 24a post-

25 age for mailing out the copies of temporary Journals  
 26 as aforesaid be furnished to the Secretary of the Sen-  
 27 ate and the said Chief Clerk of the House as part of  
 28 the legislative expenses of this session.

Was read the first time and referred to the Committee on Employment.

The Joint Committee on Employment introduced:

HOUSE CONCURRENT RESOLUTION "CC"

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

1 That Miles Nelson, Fred Fisher and Mrs. I. A.  
 2 Smith, mailing clerks of the House and Jacob Hegland,  
 3 mailing clerk of the Senate, of the Twenty-ninth  
 4 Legislative Assembly, be retained for five days after  
 5 the close of this session to complete sending Senate  
 6 and House Journals of the last days of the session;  
 7 Harold Smith, proofreader of the House and John W.  
 8 Benson, proofreader of the Senate, be retained for  
 9 two days after the close of the session to finish  
 10 proofreading the Journals of the House and Senate  
 11 for the last day of this Twenty-ninth Legislative  
 12 Assembly; and that Beverly Young and Lavern Gayman,  
 13 pages of the House and Ray Unzelman, page of the Sen-  
 14 ate, be retained for two days after the close of the  
 15 session for the purpose of wrapping and either mail-  
 16 ing or expressing to the members of the Senate and  
 17 House, bill books, Journals, reports and files; and  
 18 that Earl McInnes, postmaster of the House and Reuben  
 19 Olson, postmaster of the Senate, be retained for two  
 20 days after the close of the session for the purpose  
 21 of disposing of any mail coming in after the close  
 22 of the session.

23 BE IT FURTHER RESOLVED, That each of the above  
 24 named employees, to-wit: Miles Nelson, Fred Fisher,  
 25 Mrs. I. A. Smith and Jacob Hegland, as mailing clerks,  
 26 be paid for said additional five days the sum of  
 27 \$5.00 per day; and Harold Smith and John W. Benson,  
 28 proofreaders, be paid the sum of \$5.00 per day for  
 29 two days; and that Beverly Young, Lavern Gayman and  
 30 Ray Unzelman, as pages, be paid the sum of \$4.50  
 31 per day for said additional two days; and that Earl  
 32 McInnes and Reuben Olson, as postmasters, be paid the  
 33 sum of \$5.00 per day for said additional two days;  
 34 all the above to be paid as other legislative expense  
 35 and paid when the respective claims are verified by  
 36 the affidavits of said parties herein named, at the  
 37 completion of such work.

38 BE IT FURTHER RESOLVED, that the sum of Fifteen  
 39 Hundred Dollars (\$1,500.00) be paid to the Board of  
 40 Administration for janitor service rendered during  
 41 the Twenty-ninth Legislative Session.

42 BE IT FURTHER RESOLVED, that Mrs. Louise Finke,  
 43 Mrs. Eleanor Vendt and Ethelyne Jorve be paid the sum  
 44 of Seven dollars (\$7.00) per day for the days of  
 45 their services rendered.

Was read the first time and referred to the Committee on Employment.

Reps. Stormon and Forseth introduced:

**HOUSE CONCURRENT RESOLUTION "DD"**

A Concurrent Resolution memorializing the Director of the War Production Board with reference to the furnishing of materials for the manufacture of farm machinery.

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:**

1 WHEREAS, The members of the Twenty-ninth  
2 Legislative Assembly of the State of North Dakota, mindful of the crying need for additional farm machinery, for  
3 tractors, and other necessary farm implements needed in  
4 the production of supplies, food and fibre essential for  
5 the successful prosecution of the war effort and for the  
6 maintenance of the civilian population of the nation, and  
7 being cognizant that only through this agency can relief  
8 be obtained and be made available, and

10 WHEREAS, it is common knowledge that tractors  
11 and other agricultural equipment, now in the hands of the  
12 producers of food in the nation, are so worn out that it  
13 is absolutely essential that a large percent of it be  
14 replaced with new equipment.

15 NOW, THEREFORE, BE IT RESOLVED that we  
15a memorialize,  
16 petition and urge the Director of the War Production  
16a Board  
17 to allocate such materials so as to make it possible for the  
18 manufacture of tractors and farm implements and so in  
18a part  
19 fulfill the needs that are so urgent in the operation of  
20 agriculture.

21 BE IT FURTHER RESOLVED that copies of this  
22 Resolution be sent to the President of the United States,  
23 the President of the Senate, the Speaker of the House of  
24 Representatives in Congress for incorporation in the  
24a Congressional Record, and to the Director of the War Production  
25 Board and to the Senators and Representatives of the  
26a State  
27 of North Dakota.

Was read the first time.

Rep. Stormon moved that House Concurrent Resolution DD be adopted, which motion prevailed.

Rep. Sandness moved that House Concurrent Resolutions AA, BB, CC, and DD be printed in the Journal, which motion prevailed.

Rep. Bubel renewed his motion, action on which had been deferred for one hour, that the request of the Senate for the return of Senate Bill No. 198 be granted, which motion prevailed.

**MESSAGE TO THE SENATE**

House of Representatives  
Bismarck, February 28, 1945

Mr. President: I have the honor to return Senate Bill No. 198, which the Senate has requested.

**KENNETH L. MORGAN, Chief Clerk.**

## SECOND READING OF SENATE BILLS

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 8; absent and not voting, 17.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Halvorson	Sailer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Morton
Benno	Hofstrand	Schnell
Bjella	Hogoboom	Sellens
Blair	Isaak	Severson
Bolmeier	Jennings	Sharpe
Boucher	Johnson, Cass	Skaar
Brady	Klefstad	Smart
Bubel	Langley	Stair
Bureau	Leet	Stanley
Bymers	Levin	Sticka
Callahan	Lillehaugen	Still
Collette	Luick	Stormon
Devlin	Lysne	Symington
Drovdal	McInnes	Thompson, Griggs
Drawz	Maher	Wambheim
Ekren	Moe	Welk
Esterby	Monson	Westby
Falconer	Mork	Wolf, McIntosh
Fitch	Nystrom	Wolf, Morton
Forseth	Ohnstad	Wollitz
Fraser	Olson, Barnes	Yirchott
Fuglestad	Ostgulen	Mr. Speaker

Those voting in the negative were:

Engel	Mollet	Shockman
Frank	Schmidt, Logan	Tuff
Moerke	Seibel	

Absent and not voting:

Crockett	Haag	Mortenson
Dalzell	Hegge	Olson, Bowman
Dittmer	Hovey	Schimke
Fleck	Johnson, Richland	Schwartz
Gainor	Larson	Thompson, Richl'nd
Graham	Lindberg	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 0; absent and not voting, 23.

Those voting in the affirmative were:

Acheson	Halvorson	Sandness
Allen, Grand Forks	Haugen	Saumur
Allen, Pierce	Haugland	Schlafmann
Anderson	Heckman	Schmalenberger
Arndt	Herk	Schmidt, Logan
Bagge	Hildre	Schmidt, Morton
Baumgartner	Hofstrand	Schnell
Belzer	Hogoboom	Seibel
Benno	Isaak	Sellens
Bjella	Jennings	Severson
Blair	Johnson, Cass	Sharpe
Boucher	Johnson, Richland	Shockman
Brady	Klefstad	Skaar
Bubel	Langley	Smart
Bymers	Leet	Stair
Callahan	Levin	Sticka
Dalzell	Lillehaugen	Stanley
Devlin	Luick	Still
Drawz	Lysne	Stormon
Drovdal	McInnes	Symington
Ekren	Moe	Thompson, Griggs
Engel	Moerke	Tuff
Falconer	Mollet	Wambheim
Fitch	Monson	Welk
Forseth	Nystrom	Westby
Frank	Ohnstad	Wolf, McIntosh
Fraser	Ostgulen	Wolf, Morton
Fuglestad	Pyle	Yirchott
Haag	Rohrer	Mr. Speaker
Halcrow	Sailer	

Absent and not voting:

Bolmeier	Graham	Mortenson
Burau	Grenier	Olson, Barnes
Collette	Hegge	Olson, Bowman
Crockett	Hovey	Schimke
Dittmer	Larson	Schwartz
Esterby	Lindberg	Thompson, Richl'pd
Fleck	Maher	Wollitz
Gainor	Mork	

So the bill passed and the title was agreed to.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 4; absent and not voting, 22.

Those voting in the affirmative were:

Acheson	Haag	Sailer
Allen, Grand Forks	Halcrow	Sandness

Allen, Pierce	Halvorson	Saumur
Anderson	Haugen	Schlafmann
Arndt	Haugland	Schmalenberger
Bagge	Heckman	Schmidt, Logan
Baumgartner	Herk	Schmidt, Morton
Belzer	Hildre	Schnell
Benno	Hofstrand	Seibel
Bjella	Hogoboom	Severson
Blair	Isaak	Sharpe
Bolmeier	Jennings	Skaar
Boucher	Johnson, Richland	Smart
Brady	Klefstad	Stair
Bubel	Langley	Stanley
Bymers	Leet	Sticka
Callahan	Levin	Still
Dalzell	Lillehaugen	Stormon
Devlin	Lindberg	Symington
Drawz	Lysne	Thompson, Griggs
Drovdal	McInnes	Tuff
Ekren	Moerke	Wambheim
Esterby	Mollet	Welk
Falconer	Monson	Westby
Fitch	Nystrom	Wolf, McIntosh
Forseth	Ohnstad	Wolf, Morton
Fraser	Ostgulen	Yirchott
Fuglestad	Pyle	Mr. Speaker
Grenier	Rohrer	
Those voting in the negative were:		
Engel	Moe	Shockman
Frank		
Absent and not voting:		
Burau	Hovey	Olson, Barnes
Collette	Johnson, Cass	Olson, Bowman
Crockett	Larson	Schimke
Dittmer	Luick	Schwartz
Fleck	Maher	Sellens
Gainor	Mork	Thompson, Rich'nd
Graham	Mortenson	Wollitz
Hegge		

So the bill passed as amended and the title was agreed to. Senate Bill No. 14. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 26.

Those voting in the affirmative were:

Acheson	Gainor	Sandness
Allen, Grand Forks	Grenier	Saumur
Allen, Pierce	Haag	Schlafmann
Anderson	Halcrow	Schmalenberger
Arndt	Halvorson	Schmidt, Logan
Bagge	Haugen	Schmidt, Morton
Baumgartner	Haugland	Schnell

Belzer	Heckman	Seibel
Benno	Herk	Sharpe
Bjella	Hofstrand	Shockman
Blair	Hogoboom	Skaar
Bolmeier	Hovey	Smart
Boucher	Isaak	Stair
Bubel	Jennings	Stanley
Bymers	Klefstad	Sticka
Callahan	Langley	Still
Dalzell	Leet	Stormon
Devlin	Lillehaugen	Symington
Drawz	Lindberg	Thompson, Griggs
Drovdal	Lysne	Thompson, Richl'nd
Ekren	McInnes	Tuff
Engel	Moe	Wambheim
Esterby	Monson	Welk
Falconer	Nystrom	Westby
Fitch	Ohnstad	Wolf, McIntosh
Forseth	Ostgulen	Wolf, Morton
Frank	Pyle	Yirchott
Fraser	Rohrer	Mr. Speaker
Fuglestad	Sailer	

## Absent and not voting:

Brady	Johnson, Cass	Mortenson
Bureau	Johnson, Richland	Olson, Barnes
Collette	Larson	Olson, Bowman
Crockett	Levin	Schimke
Dittmer	Luick	Schwartz
Fleck	Maher	Sellens
Graham	Moerke	Severson
Hegge	Mollet	Wallitz
Hildre	Mork	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 6; absent and not voting, 29.

Those voting in the affirmative were:

Acheson	Grenier	Sailer
Allen, Grand Forks	Haag	Sandness
Allen, Pierce	Halcrow	Saumur
Anderson	Halvorson	Schlafmann
Arndt	Haugen	Schmidt, Morton
Bagge	Haugland	Schnell
Baumgartner	Heckman	Seibel
Belzer	Herk	Sharpe
Benno	Hofstrand	Skaar
Bjella	Hogoboom	Smart
Boucher	Hovey	Stanley



Bubel	Jennings	Sticka
Bymers	Johnson, Richland	Still
Callahan	Klefstad	Stormon
Dalzell	Langley	Symington
Devlin	Leet	Thompson, Griggs
Drawz	Lindberg	Thompson, Richland
Drovdal	Lysne	Tuff
Ekren	McInnes	Wambheim
Esterby	Moe	Welk
Falconer	Monson	Westby
Fitch	Nystrom	Wolf, McIntosh
Forseth	Ohnstad	Wolf, Morton
Frank	Olson, Barnes	Yirchott
Fuglestad	Pyle	Mr. Speaker
Gainor	Rohrer	
Those voting in the negative were:		
Engel	Lillehaugen	Schmidt, Logan
Isaak	Ostgulen	Shockman
Absent and not voting:		
Blair	Hegge	Mortenson
Bolmeier	Hildre	Olson, Bowman
Brady	Johnson, Cass	Schimke
Burau	Larson	Schmalenberger
Collette	Levin	Schwartz
Crockett	Luick	Sellens
Dittmer	Maher	Severson
Fleck	Moerke	Stair
Fraser	Mollet	Wollitz
Graham	Mork	

So the bill passed as amended and the title was agreed to.

Rep. Fuglestad moved that consideration of Senate Bills Nos. 109 and 132 be made a special order of business for 8:30 o'clock p.m., which motion prevailed.

Rep. Johnson of Richland moved that consideration of Senate Bill No. 189 follow action on Senate Bill No. 132, which motion prevailed.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 5; absent and not voting 22.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Halvorson	Rohrer
Anderson	Haugen	Sailer
Arndt	Haugland	Sandness
Bagge	Heckman	Saumur
Baumgartner	Herk	Schlafmann
Belzer	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Ejella	Hogoboom	Schnell
Blair	Hovey	Sharpe
Bolmeier	Isaak	Shockman

Brady	Jennings	Skaar
Boucher	Johnson, Richland	Smart
Bubel	Klefstad	Stanley
Bymers	Langley	Sticka
Callahan	Leet	Still
Dalzell	Levin	Stormon
Devlin	Lillehaugen	Symington
Drawz	Lindberg	Thompson, Griggs
Drovdal	Luick	Wambheim
Ekren	Lysne	Welk
Esterby	McInnes	Westby
Falconer	Maher	Wolf, McIntosh
Fitch	Monson	Wolf, Morton
Forseth	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Grenier		

Those voting in the negative were:  
 Engel                      Seibel                      Tuff  
 Frank                      Thompson, Richl'nd

Absent and not voting:  
 Bureau                      Johnson, Cass              Olson, Bowman  
 Collette                      Larson                      Schimke  
 Crockett                      Moe                          Schmalenberger  
 Dittmer                      Moerke                      Schwartz  
 Fleck                          Mollet                      Sellens  
 Fraser                          Mork                          Severson  
 Graham                      Mortenson                  Stair  
 Hegge

So the bill passed as amended and the title was agreed to.  
 Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 0; absent and not voting, 24.

Those voting in the affirmative were:

Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Halvorson	Sailer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schlafmann
Baumgartner	Herk	Schmidt, Logan
Belzer	Hildre	Schmidt, Morton
Benno	Hofstrand	Schnell
Bjella	Hogoboom	Seibel
Blair	Hovey	Sharpe
Bolmeier	Isaak	Shockman
Boucher	Jennings	Skaar
Brady	Johnson, Richland	Stanley
Bubel	Klefstad	Sticka
Bymers	Langley	Still
Callahan	Leet	Stormon
Dalzell	Levin	Symington

Drawz	Lillehaugen	Thompson,Griggs
Drovdal	Lindberg	Thompson,Richl'nd
Ekren	Luick	Tuff
Engel	Lysne	Wambheim
Esterby	McInnes	Welk
Falconer	Maher	Westby
Fitch	Monson	Wolf, McIntosh
Forseth	Nystrom	Wolf, Morton
Frank	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Yirchott
Gainor	Ostgulen	Mr. Speaker
Grenier		
Absent and not voting:		
Burau	Hegge	Olson, Bowman
Collette	Johnson, Cass	Schimke
Crockett	Larson	Schmalenberger
Devlin	Moe	Schwartz
Dittmer	Moerke	Sellens
Fleck	Mollet	Severson
Fraser	Mork	Smart
Graham	Mortenson	Stair

So the bill passed as amended and the title was agreed to.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Sub-section 10 of Section 7-0208 of the North Dakota Revised Code of 1943, Relating to Loans and Investments of Building and Loan Associations, 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, 26; absent and not voting, 26.

Those voting in the affirmative were:

Acheson	Grenier	Ohnstad
Allen, Grand Forks	Halcrow	Olson, Barnes
Allen, Pierce	Haugen	Pyle
Arndt	Haugland	Sailer
Bagge	Heckman	Sandness
Benno	Herk	Saumur
Bjella	Hildre	Schnell
Blair	Hofstrand	Sharpe
Bolmeier	Hogoboom	Skaar
Brady	Hovey	Stanley
Callahan	Jennings	Sticka
Dalzell	Johnson, Richland	Still
Drawz	Klefstad	Stormon
Drovdal	Langley	Symington
Ekren	Leet	Thompson,Griggs
Esterby	Lindberg	Wambheim
Fitch	Luick	Westby
Forseth	Lysne	Wolf, Morton
Fuglestad	McInnes	Yirchott
Gainor	Nystrom	Mr. Speaker

Those voting in the negative were:

Anderson	Halvorson	Schmidt, Morton
Baumgartner	Isaak	Seibel
Belzer	Levin	Shockman
Boucher	Maher	Thompson,Richl'nd
Bubel	Monson	Tuff

Bymers	Ostgulen	Welk
Engel	Rohrer	Wolf, McIntosh
Frank	Schlafmann	Wollitz
Haag	Schmidt, Logan	
Absent and not voting:		
Burau	Hegge	Olson, Bowman
Collette	Johnson, Cass	Schimke
Crockett	Larson	Schmalenberger
Devlin	Lillehaugen	Schwartz
Dittmer	Moe	Sellens
Falconer	Moerke	Severson
Fleck	Mollet	Smart
Fraser	Mork	Stair
Graham	Mortenson	

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. 167 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings, Specifications, Procedures, and Other Actions Preliminary to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 8; absent and not voting, 20.

Those voting in the affirmative were:

Acheson	Haag	Olson, Barnes
Allen, Grand Forks	Halcrow	Ostgulen
Allen, Pierce	Halvorson	Rohrer
Anderson	Haugen	Sailer
Arndt	Haugland	Sandness
Bagge	Heckman	Saumur
Baumgartner	Hegge	Schlafmann
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogoboom	Seibel
Boucher	Hovey	Sellens
Brady	Jennings	Sharpe
Bubel	Johnson, Richland	Shockman
Burau	Klefstad	Skaar
Bymers	Langley	Stanley
Callahan	Leet	Sticka
Dalzell	Levin	Still
Dittmer	Lillehaugen	Stormon
Drawz	Lindberg	Symington

Drovdal	Luick	Thompson, Griggs
Ekren	Lysne	Tuff
Esterby	McInnes	Wambheim
Fitch	Maher	Westby
Forseth	Moe	Wolf, McIntosh
Fuglestad	Monson	Wolf, Morton
Gainor	Nystrom	Yirchott
Grenier	Ohnstad	Mr. Speaker
Those voting in the negative were:		
Bolmeier	Isaak	Welk
Engel	Pyle	Wollitz
Frank	Thompson, Richl'nd	
Absent and not voting:		
Collette	Johnson, Cass	Schimke
Crockett	Larson	Schmalenberger
Devlin	Moerke	Schwartz
Falconer	Mollet	Severson
Fleck	Mork	Smart
Fraser	Mortenson	Stair
Graham	Olson, Bowman	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State, Its Agencies, Municipalities and Other Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 4; absent and not voting, 19.

Those voting in the affirmative were:

Acheson	Halvorson	Sailer
Allen, Grand Forks	Haugen	Sandness
Allen, Pierce	Haugland	Saumur
Anderson	Heckman	Schlafmann
Arndt	Hegge	Schmidt, Logan
Bagge	Herk	Schmidt, Morton
Baumgartner	Hildre	Schnell
Belzer	Hofstrand	Schwartz
Benno	Hogoboom	Seibel
Bjella	Hovey	Sellens
Blair	Isaak	Sharpe
Boucher	Jennings	Shockman
Bubel	Johnson, Richland	Skaar
Bureau	Klefstad	Stanley
Callahan	Langley	Sticka
Dalzell	Leet	Still
Dittmer	Levin	Stormon
Drawz	Lillehaugen	Symington
Drovdal	Lindberg	Thompson, Griggs
Ekren	Luick	Thompson, Richl'nd
Engel	Lysne	Tuff
Esterby	McInnes	Wambheim
Fitch	Maher	Welk

Forseth	Moe	Westby
Frank	Monson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gainor	Ohnstad	Wollitz
Grenier	Olson, Barnes	Yirchott
Haag	Ostgulen	Mr. Speaker
Halcrow	Rohrer	

Those voting in the negative were:

Bolmeier	Bymers	Pyle
Brady		

Absent and not voting:

Collette	Johnson, Cass	Olson, Bowman
Crockett	Larson	Schimke
Devlin	Moerke	Schmalenberger
Falconer	Mollet	Severson
Fleck	Mork	Smart
Fraser	Mortenson	Stair
Graham		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of Fraine Barracks in Burleigh County, North Dakota; Providing for Method of Disbursement, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays 7; absent and not voting, 17.

Those voting in the affirmative were:

Acheson	Halvorson	Pyle
Allen, Grand Forks	Haugen	Rohrer
Allen, Pierce	Haugland	Sailer
Arndt	Heckman	Sandness
Bagge	Hegge	Saumur
Baumgartner	Hildre	Schlafmann
Belzer	Hofstrand	Schmidt, Logan
Benno	Hogoboom	Schmidt, Morton
Bjella	Hovey	Schnell
Blair	Isaak	Schwartz
Bolmeier	Jennings	Seibel
Boucher	Johnson, Richland	Sellens
Bubel	Klefstad	Sharpe
Burau	Langley	Shockman
Bymers	Leet	Skaar
Callahan	Levin	Stanley
Dalzell	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Thompson, Richl'nd
Fitch	Moerke	Wambheim
Forseth	Mollet	Welk
Frank	Monson	Westby
Fuglestad	Nystrom	Wolf, McIntosh
Gainor	Ohnstad	Wolf, Morton

Grenier	Olson, Barnes	Wollitz
Haag	Ostgulen	Mr. Speaker
Halcrow		
Those voting in the negative were:		
Anderson	Herk	Tuff
Brady	Moe	Yirchott
Drovdal		
Absent and not voting:		
Collette	Graham	Schimke
Crockett	Johnson, Cass	Schmalenberger
Devlin	Larson	Severson
Falconer	Mork	Smart
Fleek	Mortenson	Stair
Fraser	Olson, Bowman	

So the bill as amended passed and the title was agreed to and the emergency clause was declared carried.

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 0; absent and not voting 20.

Those voting in the affirmative were:

Acheson	Halcrow	Ostgulen
Allen, Pierce	Halvorson	Rohrer
Anderson	Haugen	Sailer
Arndt	Haugland	Saumtr
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmidt, Logan
Belzer	Herk	Schmidt, Morton
Benno	Hildre	Schnell
Bjella	Hofstrand	Schwartz
Blair	Hogoboom	Seibel
Bolmeier	Hovey	Sellens
Boucher	Isaak	Sharpe
Brady	Jennings	Shockman
Burau	Johnson, Richland	Skaar
Bymers	Klefstad	Stanley
Callahan	Langley	Sticka
Collette	Leet	Still
Dalzell	Levin	Stormon
Dittmer	Lillehaugen	Symington
Drawz	Lindberg	Thompson, Griggs
Drovdal	Luick	Thompson, Rich'nd
Ekren	Lysne	Tuff
Engel	McInnes	Wambheim
Esterby	Maher	Welk
Fitch	Moe	Westby
Forseth	Moerke	Wolf, McIntosh
Frank	Mollet	Wolf, Morton
Fuglestad	Monson	Wollitz
Gainor	Nystrom	Yirchott

Grenier	Ohnstad	Mr. Speaker
Haag	Olson, Barnes	
Absent and not voting:		
Allen, Grand Forks	Graham	Sandness
Bubel	Johnson, Cass	Schimke
Crockett	Larson	Schmalenberger
Devlin	Mork	Severson
Falconer	Mortenson	Smart
Fleck	Olson, Bowman	Stair
Fraser	Pyle	

So the bill as amended passed and the title was agreed to and the emergency clause was declared carried.

Senate Bill No. 32. A Bill for an Act Transferring to the Veterans Post-War Rehabilitation Reserve Fund the Sum of Five Hundred Thousand Dollars (\$500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Acheson	Haag	Olson, Barnes
Allen, Pierre	Halcrow	Ostgulen
Anderson	Halvorson	Rohrer
Arndt	Haugen	Sailer
Bagge	Haugland	Saumur
Baumgarther	Heckman	Schlafmann
Belzer	Hegge	Schmidt, Logan
Benno	Herk	Schmidt, Morton
Bjella	Hildre	Schnell
Blair	Hofstrand	Schwartz
Bolmeier	Hogoboom	Seibel
Boucher	Hovey	Sellens
Brady	Isaak	Sharpe
Bureau	Jennings	Shockman
Bymers	Johnson, Richland	Skaar
Callahan	Klefstad	Stanley
Collette	Langley	Sticka
Dalzell	Leet	Still
Dittmer	Levin	Stormon
Drawz	Lillehaugen	Symington
Drovdal	Lindberg	Thompson, Griggs
Ekren	Luick	Thompson, Richland
Engel	Lysne	Tuff
Esterby	McInnes	Welk
Fitch	Maher	Westby
Fleck	Moe	Wolf, McIntosh
Forseth	Moerke	Wolf, Morton
Frank	Mollet	Wollitz
Fuglestad	Monson	Yirchott
Gainor	Nystrom	Mr. Speaker
Grenier	Ohnstad	

Absent and not voting:

Allen, Grand Forks	Johnson, Cass	Schimke
Bubel	Larson	Schmalenberger
Crockett	Mork	Severson
Devlin	Mortenson	Smart



Falconer	Olson, Bowman	Stair
Fraser	Pyle	Wambheim
Graham	Sandness	

So the bill passed as amended and the title was agreed to.

Rep. Johnson of Richland moved that Senate Bills Nos. 209 and 190 be made a special order of business following Senate Bills Nos. 109, 132, and 189, which motion prevailed.

Rep. Johnson of Richland moved that the House recess until 7:30 o'clock p.m., which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen 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 Bill No. 37.

House Bill No. 66.

Were delivered to the Governor for his approval at the hour of 4:35 p.m. o'clock, February 28, 1945.

REP. LEET, Chairman.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Cities and Municipal Corporations, to whom was referred Senate Bill No. 156, have had the same under consideration and recommend that the same do pass.

REP. OLSON of Barnes, Chairman.

Rep. Yirchott moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations, to whom was referred Senate Bill No. 126, have had the same under consideration and recommend that the same do pass.

REP. OLSON of Barnes, Chairman.

Rep. Symington moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations, to whom was referred Senate Bill No. 103, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. OLSON of Barnes, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Haugen moved that the vote by which Senate Bill No. 103 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Concurrent Resolution No. 9. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within

the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 86; nays, 6; absent and not voting, 20.

Those voting in the affirmative were:

Acheson	Grenier	Sailer
Allen, Pierce	Halvorson	Sandness
Anderson	Haugen	Saumur
Arndt	Haugland	Schlafmann
Bagge	Heckman	Schmalenberger
Baumgartner	Hegge	Schmidt, Logan
Belzer	Herk	Schmidt, Morton
Benno	Hofstrand	Schnell
Bjella	Hogoboom	Schwartz
Blair	Hovey	Seibel
Bolmeier	Jennings	Sellens
Boucher	Johnson, Cass	Severson
Bubel	Johnson, Richland	Shockman
Bureau	Klefstad	Smart
Callahan	Langley	Stanley
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Still
Dittmer	Luick	Symington
Drawz	McInnes	Thompson, Griggs
Drovdal	Maher	Tuff
Engel	Moerke	Wambheim
Esterby	Mollet	Welk
Fitch	Mork	Westby
Fleck	Mortenson	Wolf, McIntosh
Forseth	Nystrom	Wolf, Morton
Frank	Ohnstad	Wollitz
Fraser	Olson, Barnes	Yirchott
Fuglestad	Ostgulen	Mr. Speaker
Gainor	Rohrer	

Those voting in the negative were:

Isaak	Moe	Stormon
Leet	Skaar	Thompson, Richl'nd

Absent and not voting:

Allen, Grand Forks	Graham	Monson
Brady	Haag	Olson, Bowman
Bymers	Halcrow	Pyle
Collette	Hildre	Schimke
Crockett	Larson	Sharpe
Ekren	Lindberg	Stair
Falconer	Lysne	

So the resolution as amended was adopted.

Senate Bill No. 155. A Bill for an Act to Permit a Levy of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 75; nays, 17; absent and not voting, 20.

Those voting in the affirmative were:

Acheson	Halcrow	Saumur
Allen, Grand Forks	Haugen	Schmalenberger
Allen, Pierce	Haugland	Schmidt, Logan
Arndt	Heckman	Schmidt, Morton
Bagge	Hegge	Schnell
Benno	Herk	Schwartz
Bjella	Hofstrand	Sellens
Blair	Hogoboom	Seibel
Bolmeier	Hovey	Severson
Boucher	Johnson, Cass	Skaar
Bubel	Johnson, Richland	Smart
Burau	Klefstad	Stanley
Callahan	Langley	Sticka
Dalzell	Leet	Still
Devlin	Luick	Stormon
Dittmer	McInnes	Symington
Drawz	Maher	Thompson, Griggs
Drovdal	Moerke	Thompson, Rich'nd
Esterby	Mork	Wambheim
Fitch	Mortenson	Welk
Fleck	Nystrom	Westby
Fraser	Ohnstad	Wolf, Morton
Fuglestad	Rohrer	Wollitz
Gainor	Sailer	Yirchott
Grenier	Sandness	Mr. Speaker

Those voting in the negative were:

Anderson	Halvorson	Ostgulen
Baumgartner	Isaak	Schlafmann
Belzer	Jennings	Shockman
Engel	Lillehaugen	Tuff
Frank	Moe	Wolf, McIntosh
Haag	Mollet	

Absent and not voting:

Brady	Graham	Olson, Barnes
Bymers	Hildre	Olson, Bowman
Collette	Larson	Pyle
Crockett	Levin	Schimke
Ekren	Lindberg	Sharpe
Falconer	Lysne	Stair
Forseth	Monson	

So the bill passed as amended and the title was agreed to.

Rep. Allen moved that the vote by which Senate Bill No. 155 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Was read the 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, 25; absent and not voting, 16.

Those voting in the affirmative were:

Allen, Grand Forks	Grenier	Pyle
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Allen, Pierce	Haag	Rohrer
Anderson	Haugen	Saumur
Arndt	Haugland	Schmalenberger
Baumgartner	Heckman	Schmidt, Logan
Belzer	Hegge	Schmidt, Morton
Benno	Hofstrand	Schnell
Bjella	Hogoboom	Schwartz
Bolmeier	Hovey	Sellens
Boucher	Johnson, Cass	Seibel
Brady	Johnson, Richland	Severson
Bubel	Klefstad	Sharpe
Bureau	Leet	Skaar
Callahan	Lindberg	Smart
Dittmer	Luick	Stanley
Drawz	Maher	Sticka
Drovdal	Moe	Thompson, Griggs
Engel	Moerke	Welk
Esterby	Mollet	Westby
Fitch	Mork	Wolf, McIntosh
Fleck	Mortenson	Wolf, Morton
Frank	Nystrom	Wollitz
Fraser	Ohnstad	Yirchott
Fuglestad	Ostgulen	

Those voting in the negative were:

Acheson	Isaak	Shockman
Bagge	Jennings	Still
Blair	Langley	Stormon
Dalzell	Lillehaugen	Symington
Devlin	McInnes	Thompson, Richl'nd
Gainor	Sailer	Tuff
Halcrow	Sandness	Wambheim
Halvorson	Schlafmann	Mr. Speaker
Herk		

Absent and not voting:

Bymers	Graham	Monson
Collette	Hildre	Olson, Barnes
Crockett	Larson	Olson, Bowman
Ekren	Levin	Schimke
Falconer	Lysne	Stair
Forseth		

So the bill passed as amended and the title was agreed to.

Rep. Welk moved that the vote by which Senate Bill No. 127 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Section 26-1501 of the North Dakota Revised Code of 1943, Relating to Organization of County Mutual Insurance Companies.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 16; absent and not voting, 11.

Those voting in the affirmative were:

Acheson	Haugland	Rohrer
Allen, Grand Forks	Heckman	Sailer
Allen, Pierce	Hegge	Sandness

Arndt	Herk	Saumur
Bagge	Hofstrand	Schimke
Baumgartner	Hogoboom	Schlafmann
Belzer	Hovey	Schmalenberger
Benno	Jennings	Schmidt, Morton
Bjella	Johnson, Cass	Schnell
Blair	Johnson, Richland	Schwartz
Bolmeier	Langley	Seibel
Boucher	Larson	Sellens
Brady	Leet	Sharpe
Bubel	Lillehaugen	Skaar
Burau	Lindberg	Smart
Bymers	Luick	Sticka
Collette	McInnes	Still
Dalzell	Maher	Stormon
Devlin	Moe	Symington
Dittmer	Moerke	Thompson, Griggs
Drovdal	Mollet	Thompson, Rich'nd
Fitch	Mortenson	Wambheim
Fleck	Mork	Welk
Fuglestad	Nystrom	Westby
Gainor	Ohnstad	Wolf, McIntosh
Haag	Olson, Barnes	Wolf, Morton
Halcrow	Ostgulen	Yirchott
Halvorson	Pyle	Mr. Speaker
Haugen		

Those voting in the negative were:

Anderson	Fraser	Severson
Callahan	Grenier	Shockman
Drawz	Isaak	Stanley
Engel	Klefstad	Tuff
Esterby	Schmidt, Logan	Wollitz
Frank		

Absent and not voting:

Crockett	Graham	Monson
Ekren	Hildre	Olson, Bowman
Falconer	Levin	Stair
Forseth	Lysne	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 105 was read the second time.

Rep. Wolf of McIntosh moved that Senate Bill No. 105 be indefinitely postponed, which motion prevailed.

Rep. Johnson of Richland announced that he had voted "aye" for the purpose of reconsideration.

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 4; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Halcrow	Ostgulen
Allen, Grand Forks	Halvorson	Pyle
Allen, Pierce	Haugen	Rohrer

Anderson	Haugland	Sailer
Arndt	Heckman	Sandness
Bagge	Hegge	Saumur
Baumgartner	Herk	Schimke
Belzer	Hildre	Schlafmann
Bjella	Hofstrand	Schmalenberger
Blair	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Schnell
Boucher	Isaak	Schwartz
Brady	Jennings	Sellens
Bubel	Johnson, Cass	Severson
Burau	Johnson, Richland	Sharpe
Bymers	Klefstad	Shockman
Callahan	Langley	Skaar
Collette	Larson	Smart
Dalzell	Leet	Stanley
Devlin	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	McInnes	Thompson, Griggs
Esterby	Maher	Tuff
Fitch	Moe	Wambheim
Forseth	Moerke	Welk
Frank	Mollet	Westby
Fraser	Mork	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gainor	Nystrom	Wollitz
Grenier	Ohnstad	Yirchott
Haag	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Engel	Seibel	Thompson, Richl'nd
Schmidt, Logan		

Absent and not voting:

Benno	Fleck	Monson
Crockett	Graham	Olson, Bowman
Falconer	Lysne	Stair

So the bill passed as amended and the title was agreed to.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Halcrow	Sailer
Allen, Grand Forks	Halvorson	Sandness
Allen, Pierce	Haugen	Saumur
Anderson	Haugland	Schimke
Arndt	Heckman	Schlafmann
Bagge	Hegge	Schmalenberger
Baumgartner	Herk	Schmidt, Logan
Belzer	Hildre	Schmidt, Morton
Benno	Hofstrand	Schnell

Bjella	Hogoboom	Schwartz
Blair	Hovey	Sellens
Bolmeier	Isaak	Seibel
Brady	Jennings	Severson
Rubel	Johnson, Cass	Sharpe
Burau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Larson	Stair
Dalzell	Leet	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	McInnes	Symington
Ekren	Maher	Thompson, Griggs
Engel	Moe	Thompson, Richl'nd
Esterby	Moerke	Tuff
Fitch	Mollet	Wambheim
Fleck	Mork	Welk
Forseth	Mortenson	Westby
Frank	Nystrom	Wolf, McIntosh
Fraser	Ohnstad	Wolf, Morton
Fuglestad	Olson, Barnes	Wollitz
Gainor	Ostgulen	Yirchott
Grenier	Pyle	Mr. Speaker
Haag	Rohrer	
Absent and not voting:		
Boucher	Graham	Monson
Crockett	Levin	Olson, Bowman
Falconer	Lysne	

So the bill as amended passed and the title was agreed to.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Over-time or Premium Pay or Penalties on Wages Required or Authorized By Any Statute, to a Period of Two Years After the Accrual of the Right to Such Pay, and Declaring An Emergency.

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised Code of North Dakota for 1943, Relating to the Registration

of Motor Trucks, Truck-tractors, Trailers and Semi-trailers on a Gross Weight Basis.

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "Highway Operating Fund" in the State Treasury, and Declaring an Emergency.

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943, as Amended by Chapter 15 of the Special Session Laws of 1944, Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

House Bill No. 268. A Bill for an Act to Amend and Re-enact Section 61-2202 of the North Dakota Revised Code of 1943 Providing for Voting at Township Meeting for Drainage Ditches; and Providing a Method of Payment.

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Administration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

House Concurrent Resolution "P." Authorizing Imprinting the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

#### HOUSE CONCURRENT RESOLUTION "H"

Introduced by Representatives Fitch, Sailer, Crockett, and Schimke



BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:

1 WHEREAS, the cost of living has materially increased  
 2 and WHEREAS the present pay schedule of the em-  
 2a ployees  
 3 of the twenty-ninth legislative assembly is inadequate  
 4 to cover their compensation and living expenses;  
 5 NOW, THEREFORE, BE IT RESOLVED BY THE  
 5a HOUSE OF  
 6 REPRESENTATIVES OF THE STATE OF NORTH  
 6a DAKOTA, THE SENATE  
 7 CONCURRING, that living expenses for all legislative  
 8 employees presently being paid five dollars (\$5.00) per  
 9 day or less be allowed at the rate of thirty percent of  
 10 the amount that they now receive as compensation and  
 10a that  
 11 such allowance apply to all the days for which they are  
 12 or have been employed by the twenty-ninth legislative  
 13 assembly. That living expenses for all legislative  
 14 employees presently being paid more than five dollars  
 15 (\$5.00) per day be allowed at the rate of twenty percent  
 16 of the amount that they now receive as compensation  
 17 and that such allowance apply to all the days for which  
 18 they are or have been employed by the twenty-ninth  
 19 legislative assembly.

Rep. Fitch moved that the House concur in the Senate amendments to House Concurrent Resolution "H", which motion prevailed.

Rep. Fitch moved that the rules be suspended and House Concurrent Resolution "H" be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Halcrow	Pyle
Allen, Grand Forks	Halvorson	Rohrer
Allen, Pierce	Haugen	Sailer
Anderson	Haugland	Sandness
Arndt	Heckman	Saumur
Bagge	Hegge	Schimke
Baumgartner	Herk	Schlafmann
Belzer	Hildre	Schmalenberger
Bjella	Hofstrand	Schmidt, Logan
Blair	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Schnell
Boucher	Isaak	Schwartz
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Sellens

Burau	Johnson, Richland	Severson
Bymers	Klefstad	Sharpe
Callahan	Langley	Shockman
Collette	Larson	Skaar
Dalzell	Leet	Smart
Devlin	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	McInnes	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Richl'nd
Fitch	Moerke	Tuff
Fleck	Mollet	Welk
Forseth	Monson	Westby
Frank	Mork	Wolf, McIntosh
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Ohnstad	Yirchott
Grenier	Olson, Barnes	Mr. Speaker
Haag	Ostgulen	
Absent and not voting:		
Benno	Graham	Stair
Crockett	Lysne	Wambheim
Falconer	Olson, Bowman	

So the resolution as amended was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Attorney General of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages. Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Attorney General, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 24; absent and not voting, 7.

Those voting in the affirmative were:

Allen, Grand Forks	Hegge	Ostgulen
Allen, Pierce	Herk	Rohrer
Arndt	Hildre	Sailer
Benno	Hofstrand	Sandness
Bjella	Hogoboom	Saumur
Blair	Hovey	Schlafmann
Bolmeier	Isaak	Schmalenberger
Brady	Jennings	Schmidt, Morton
Burau	Johnson, Cass	Schnell
Callahan	Johnson, Richland	Seibel
Dalzell	Klefstad	Sellens

Devlin	Langley	Severson
Dittmer	Leet	Sharpe
Drawz	Levin	Skaar
Drovdal	Lillehaugen	Smart
Ekren	Lindberg	Stanley
Engel	Luick	Sticka
Esterby	McInnes	Still
Fitch	Maher	Stormon
Fleck	Moe	Symington
Forseth	Mollet	Thompson,Griggs
Fuglestad	Monson	Wambheim
Gainor	Mork	Welk
Halcrow	Mortenson	Westby
Haugen	Nystrom	Wolf, Morton
Haugland	Ohnstad	Wollitz
Heckman	Olson, Barnes	Mr. Speaker
Those voting in the negative were:		
Acheson	Frank	Schimke
Anderson	Fraser	Schmidt, Logan
Bagge	Grenier	Schwartz
Baumgartner	Haag	Shockman
Boucher	Halvorson	Thompson,Rich'nd
Bubel	Larson	Tuff
Bymers	Moerke	Wolf, McIntosh
Collette	Pyle	Yirchott
Absent and not voting:		
Belzer	Graham	Olson, Bowman
Crockett	Lysne	Stair
Falconer		

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Fuglestad moved that the vote by which Senate Bill No. 109 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the North Dakota Revised Code of 1943 Relating to Fines and Penalties.

Was read the second time.

Rep. Leet moved that the rules be suspended and Senate Bill No. 132 be amended as follows:

In the title of the bill after the word "the" and before the word "Revised" insert the words "North Dakota".

In line 2 of the bill after the word "the" and before the word "Revised" insert the words "North Dakota" and re-number the lines.

Rep. Leet moved that the rules be suspended and Senate Bill No. 132 be placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 22; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Gainor	Ostgulen
Allen, Grand Forks	Grenier	Pyle
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness

Arndt	Haugland	Saumur
Bagge	Heckman	Schimke
Benno	Hegge	Schlafmann
Bjella	Herk	Schmalenberger
Blair	Hildre	Schmidt, Morton
Bolmeier	Hofstrand	Schnell
Boucher	Hogoboom	Seibel
Brady	Hovey	Sellens
Burau	Isaak	Sharpe
Bymers	Johnson, Cass	Severson
Callahan	Johnson, Richland	Skaar
Collette	Klefstad	Smart
Dalzell	Langley	Stanley
Devlin	Larson	Sticka
Dittmer	Leet	Still
Drawz	Lillehaugen	Stormon
Drovdal	Lindberg	Symington
Ekren	Luick	Thompson, Griggs
Esterby	McInnes	Wambheim
Fitch	Moe	Westby
Fleck	Mork	Wolf, Morton
Forseth	Nystrom	Wollitz
Fraser	Ohnstad	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Those voting in the negative were:		
Baumgartner	Levin	Schmidt, Logan
Belzer	Maher	Schwartz
Bubel	Moerke	Shockman
Engel	Mollet	Thompson, Richl'nd
Frank	Monson	Tuff
Haag	Mortenson	Welk
Haugen	Rohrer	Wolf, McIntosh
Jennings		
Absent and not voting:		
Crockett	Graham	Olson, Bowman
Falconer	Lysne	Stair

So the bill passed as amended and the title was agreed to.

Rep. Halcrow moved that the vote by which Senate Bill No. 132 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

House Bill No. 88. A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged to Secure Loans of State School Funds and Conveyed to the State by the Mortgagors or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All

Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund.

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States Department of the Interior, Fish and Wildlife Service in Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

House Bill No. 194. A Bill for an Act Authorizing Administration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the Armed Forces of the United States of America; Declaring Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 of the North Dakota Revised Code of 1943, Pertaining to the Duties of the State Dairy Commissioner and Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the North Dakota Revised Code of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

Was read the second time.

Rep. Leet moved that the rules be suspended and Senate Bill No. 189 be amended as follows:

In line one of the title after the figures "4-1703" insert the words "of the North Dakota" and after the word "Code" insert the word "of".

In line 6 of the title after the word "the" and before the word "Revised" in line 7 insert the words "North Dakota".

In line 1 of the bill after the word "the" and before the word "Revised" insert the words "North Dakota".

In line 28 of the bill after the word "the" and before the word "Revised" in line 29 insert the words "North Dakota".

In line 32 strike out the comma after the figures "19-0211" and insert the words "of the North Dakota", and renumber the lines, which motion prevailed.

Rep. Burau moved that the rules be suspended and Senate Bill No. 189 placed on second reading and final passage, which motion prevailed.

Rep. Blair moved the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 71; nays, 33; absent and not voting, 8.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Anderson	Haag	Rohrer
Bagge	Halcrow	Sandness
Baumgartner	Halvorson	Saumur
Belzer	Haugen	Schimke
Benno	Haugland	Schlafmann
Blair	Heckman	Schmalenberger
Boucher	Hegge	Schmidt, Logan
Bubel	Herk	Schmidt, Morton
Burau	Hofstrand	Schnell
Bymers	Jennings	Schwartz
Callahan	Langley	Seibel
Collette	Larson	Shockman
Crockett	Levin	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Thompson, Griggs
Drovdal	Luick	Thompson, Richl'nd
Engel	Maher	Tuff
Esterby	Moerke	Welk
Fitch	Mollet	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Frank	Mork	Wollitz
Fraser	Mortenson	Yirchott
Fuglestad	Ohnstad	

Those voting in the negative were:

Allen, Grand Forks	Hovey	Sellens
Allen, Pierce	Isaak	Severson
Arndt	Johnson, Cass	Sharpe
Bolmeier	Johnson, Richland	Skaar
Brady	Leet	Smart
Dalzell	McInnes	Still
Drawz	Moe	Stormon
Ekren	Nystrom	Symington
Gainor	Olson, Barnes	Wambheim
Hildre	Pyle	Westby
Hogoboom	Sailer	Mr. Speaker

## Absent and not voting:

Bjella	Graham	Olson, Bowman
Falconer	Klefstad	Stair
Fleck	Lysne	

So the bill passed as amended and the title was agreed to.

Rep. Allen of Grand Forks: I want to explain my vote. I think that something like this should be done. I am in favor of something of this nature, but I know that the Dairy Commissioner has no money to carry on this work. If you are going to pass this bill, it just means that this work will not be done. I will have to vote "no".

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 76; nays, 25; absent and not voting, 11.

## Those voting in the affirmative were:

Allen, Grand Forks	Herk	Sandness
Allen, Pierce	Hildre	Saumur
Arndt	Hofstrand	Schimke
Bagge	Hogoboom	Schmalenberger
Benno	Hovey	Schmidt, Morton
Blair	Jennings	Schnell
Bolmeier	Johnson, Cass	Schwartz
Boucher	Johnson, Richland	Sellens
Brady	Langley	Severson
Bubel	Larson	Sharpe
Bureau	Leet	Skaar
Bymers	Lillehaugen	Smart
Callahan	Luick	Stanley
Dalzell	McInnes	Sticka
Devlin	Maher	Still
Dittmer	Moe	Stormon
Drawz	Moerke	Symington
Ekren	Mork	Thompson, Griggs
Fitch	Nystrom	Wambheim
Fuglestad	Ohnstad	Welk
Gainor	Olson, Barnes	Westby
Halcrow	Ostgulen	Wolf, Morton
Halvorson	Pyle	Wollitz
Haugen	Rohrer	Yirchott
Haugland	Sailer	Mr. Speaker
Heckman		

## Those voting in the negative were:

Acheson	Fraser	Mortenson
Anderson	Grenier	Schlafmann
Baumgartner	Haag	Schmidt, Logan
Belzer	Hegge	Seibel
Drovdal	Isaak	Shockman
Engel	Lindberg	Thompson, Rich'nd
Esterby	Mollet	Tuff
Forseth	Monson	Wolf, McIntosh
Frank		

Absent and not voting:

Bjella	Fleck	Lysne
Collette	Graham	Olson, Bowman
Crockett	Klefstad	Stair
Falconer	Levin	

So the bill passed and the title was agreed to.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Section 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 72; nays, 24; absent and not voting, 16.

Those voting in the affirmative were:

Allen, Grand Forks	Heckman	Sandness
Allen, Pierce	Herk	Saumur
Arndt	Hildre	Schimke
Bagge	Hofstrand	Schlafmann
Benno	Hogoboom	Schmalenberger
Bjella	Hovey	Schmidt, Morton
Blair	Johnson, Cass	Schnell
Bolmeier	Johnson, Richland	Sellens
Brady	Klefstad	Severson
Bureau	Langlely	Sharpe
Bymers	Larson	Skaar
Callahan	Leet	Smart
Dalzell	Lillehaugen	Stanley
Dittmer	Luick	Sticka
Drawz	McInnes	Still
Drovdal	Maher	Stormon
Ekren	Moe	Symington
Esterby	Mork	Thompson, Griggs
Forseth	Nystrom	Wambheim
Fuglestad	Ohnstad	Welk
Gainor	Olson, Barnes	Westby
Halcrow	Pyle	Wolf, Morton
Haugen	Rohrer	Yirchott
Haugland	Sailer	Mr. Speaker

Those voting in the negative were:

Acheson	Grenier	Mortenson
Anderson	Haag	Ostgulen
Baumgartner	Hegge	Schmidt, Logan
Belzer	Isaak	Seibel
Boucher	Jennings	Shockman
Engel	Lindberg	Thompson, Rich'nd
Frank	Moerke	Tuff
Fraser	Mollet	Wolf, McIntosh

Absent and not voting:

Bubel	Fleck	Monson
Collette	Graham	Olson, Bowman
Crockett	Halvorson	Schwartz
Devlin	Levin	Stair
Falconer	Lysne	Wollitz
Fitch		

So the bill passed and the title was agreed to.

Rep. Moe moved that the vote by which Senate Bill No. 190



was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Halvorson	Rohrer
Anderson	Haugen	Sailer
Arndt	Haugland	Sandness
Bagge	Heckman	Saumur
Baumgartner	Hegge	Schimke
Belzer	Herk	Schlafmann
Benno	Hildre	Schmalenberger
Bjella	Hofstrand	Schmidt, Logan
Blair	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Schnell
Boucher	Isaak	Schwartz
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Sellens
Burau	Johnson, Richland	Severson
Bymers	Klefstad	Sharpe
Callahan	Langley	Skaar
Dalzell	Larson	Smart
Devlin	Leet	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	McInnes	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moerke	Tuff
Fitch	Mollet	Wambheim
Forseth	Monson	Welk
Frank	Mork	Westby
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gainor	Ohnstad	Yirchott
Grenier	Olson, Barnes	Mr. Speaker

Absent and not voting:

Collette	Levin	Shockman
Crockett	Lysne	Stair
Falconer	Moe	Thompson, Richl'nd
Fleck	Olson, Bowman	Wollitz
Graham		

So the bill passed as amended and the title was agreed to.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 18. A Bill for an Act Making an Appro-

priation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, February 28, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "F".

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 114.

Rep. Fitch moved that the House do not concur in the Senate amendments to House Bill No. 114, which motion prevailed.

Rep. Fitch moved that a Conference Committee be appointed, which motion prevailed.

The Speaker appointed Reps. Yirchott, Blair and Forseth.

House Bill No. 283.

In line 3 of the engrossed bill, strike out the figures "\$12,000.00" and insert in lieu thereof the figures "\$21,500.00".

In line 7, strike out the figures "\$11,000.00" and insert in lieu thereof the figures "\$20,500.00".

In line 9, strike out the figures "\$12,000.00" and insert in lieu thereof the figures "\$21,500.00".

Rep. Johnson of Cass moved that the House concur in the Senate amendments to House Bill No. 283, which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 283 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 1; absent and not voting, 11.

Those voting in the affirmative were:

Acheson	Halvorson	Ostgulen
Allen, Pierce	Haugen	Pyle
Anderson	Haugland	Rohrer
Arndt	Heckman	Sailer
Bagge	Hegge	Sandness
Baumgartner	Herk	Schimke
Belzer	Hildre	Schlafmann
Benno	Hofstrand	Schmalenberger
Bjella	Hogoboom	Schmidt, Logan
Blair	Hovey	Schmidt, Morton
Bolmeier	Isaak	Schnell
Boucher	Jennings	Schwartz
Brady	Johnson, Cass	Seibel
Bubel	Johnson, Richland	Sellens
Bureau	Klefstad	Severson
Bymers	Langley	Sharpe
Callahan	Larson	Skaar
Dalzell	Leet	Smart
Dittmer	Levin	Stanley
Drawz	Lillehaugen	Sticka
Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Engel	McInnes	Symington
Esterby	Maher	Thompson, Griggs
Fitch	Moe	Tuff
Fleck	Moerke	Wambheim
Forseth	Mollet	Welk
Frank	Monson	Westby
Fraser	Mork	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gainor	Nystrom	Wollitz
Grenier	Ohnstad	Yirchott
Haag	Olson, Barnes	Mr. Speaker
Halcrow		

Those voting in the negative were:

Thompson, Rich'nd

Absent and not voting:

Allen, Grand Forks	Falconer	Saumur
Collette	Graham	Shockman
Crockett	Lysne	Stair
Devlin	Olson, Bowman	

So the bill as amended passed and the title was agreed to and the emergency clause was declared carried.

Rep. Dalzell moved that the vote by which House Bill No. 283 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 158.

In line 24 of section 3, strike out the word "erection" and insert in lieu thereof the words "construction and repair".

Rep. Johnson of Richland moved that the House concur in the Senate amendments to House Bill No. 158, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and House Bill No. 158 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 158. A Bill for an Act to Permit the Board

of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

Was read the 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.

Those voting in the affirmative were:

Acheson	Haugland	Pyle
Allen, Grand Forks	Heckman	Rohrer
Allen, Pierce	Hegge	Sailer
Anderson	Herk	Sandness
Arndt	Hildre	Saumur
Bagge	Hofstrand	Schimke
Baumgartner	Hogboom	Schlafmann
Belzer	Hovey	Schmidt, Morton
Benno	Isaak	Schnell
Bjella	Jennings	Schwartz
Blair	Johnson, Cass	Sellens
Bolmeier	Johnson, Richland	Severson
Bubel	Klefstad	Sharpe
Bureau	Langley	Skaar
Bymers	Larson	Smart
Callahan	Leet	Stanley
Dalzell	Levin	Sticka
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	McInnes	Thompson, Griggs
Esterby	Maher	Thompson, Richl'nd
Fitch	Moe	Tuff
Forseth	Monson	Wambheim
Fraser	Mork	Welk
Fuglestad	Mortenson	Westby
Gainor	Nystrom	Wolf, Morton
Grenier	Ohnstad	Wollitz
Halcrow	Olson, Barnes	Yirchott
Halvorson	Ostgulen	Mr. Speaker
Haugen		

Those voting in the negative were:

Engel	Moerke	Seibel
Frank	Mollet	Wolf, McIntosh
Haag	Schmidt, Logan	

Absent and not voting:

Boucher	Falconer	Olson, Bowman
Brady	Fleck	Schmalenberger
Collette	Graham	Shockman
Crockett	Lysne	Stair
Devlin		

So the bill as amended passed and the title was agreed to. House Bill No. 32.

In line 4, strike out the figures 584,650.00 and insert in lieu thereof the figures 602,450.00.

In line 12, strike out the figures 125,400.00 and insert in lieu thereof the figures 133,600.00.

In line 13, strike out the figures 53,400.00 and insert in lieu thereof the figures 60,000.00.

In line 17, strike out the figures 224,100.00 and insert in lieu thereof the figures 238,900.00.

In line 21, strike out the figures 135,000.00 and insert in lieu thereof the figures 140,000.00.

In line 24, strike out the figures 142,000.00 and insert in lieu thereof the figures 140,000.00.

In line 26, strike out the figures 360,550.00 and insert in lieu thereof the figures 363,550.00.

In line 27, strike out the figures 584,650.00 and insert in lieu thereof the figures 602,450.00.

Rep. Johnson of Cass moved that the House concur in the Senate amendments to House Bill No. 32, which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 32 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 17; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Grenier	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Haugland	Sandness
Anderson	Heckman	Saumur
Arndt	Hegge	Schimke
Bagge	Herk	Schlafmann
Baumgartner	Hildre	Schmidt, Morton
Belzer	Hofstrand	Schnell
Benno	Hogoboom	Sellens
Bjella	Hovey	Severson
Blair	Isaak	Sharpe
Bolmeier	Jennings	Skaar
Boucher	Johnson, Cass	Smart
Brady	Johnson, Richland	Stanley
Bubel	Langley	Sticka
Bymers	Larson	Still
Callahan	Leet	Stormon
Dalzell	Levin	Symington
Drawz	Luick	Thompson, Griggs
Drovdal	McInnes	Tuff
Ekren	Maher	Wambheim
Esterby	Mork	Westby
Fitch	Mortenson	Wolf, Morton
Forseth	Nystrom	Wollitz
Frank	Ohnstad	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Gainor	Pyle	

Those voting in the negative were:

Burau	Lindberg	Schwartz
Engel	Moerke	Seibel

Fraser	Mollet	Thompson, Richl'nd
Haag	Monson	Welk
Halvorson	Ostgulen	Wolf, McIntosh
Lillehaugen	Schmidt, Logan	

Absent and not voting:

Collette	Fleck	Moe
Crockett	Graham	Olson, Bowman
Devlin	Haugen	Schmalenberger
Dittmer	Klefstad	Shockman
Falconer	Lysne	Stair

So the bill as amended passed and the title was agreed to. House Bill No. 18.

In line 3 of the original bill, strike out the figures 70,000.00 and insert in lieu thereof the figures 90,800.00.

In line 8, strike out the figures 30,200.00 and insert in lieu thereof the figures 24,000.00.

In line 9, strike out the figures 6,000.00 and insert in lieu thereof the figures 5,000.00.

In line 10, strike out the figures 4,000.00 and insert in lieu thereof the figures 3,000.00.

In line 11, strike out the figures 6,000.00 and insert in lieu thereof the figures 5,000.00.

Add line 18 as follows:

Catastrophe Insurance on Risks in Excess of  
 \$100,000.00.....30,000.00.

Change Line 18, to line 19 and in the same line strike out the figures 70,000.00 and insert in lieu thereof the figures 90,800.00.

Rep. Johnson of Cass moved that the House concur in the Senate Amendments to House Bill No. 18, which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 18 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 19; absent and not voting, 13.

Those voting in the affirmative were:

Acheson	Halvorson	Sailer
Allen, Grand Forks	Haugen	Sandness
Allen, Pierce	Haugland	Saumur
Anderson	Heckman	Schimke
Arndt	Hegge	Schlafmann
Bagge	Herk	Schmidt, Morton
Baumgartner	Hildre	Schnell
Belzer	Hofstrand	Sellens
Benno	Hogoboom	Severson
Bjella	Hovey	Sharpe
Blair	Jennings	Skaar

Bolmeier	Johnson, Cass	Smart
Boucher	Johnson, Richland	Stanley
Brady	Klefstad	Sticka
Bubel	Langley	Still
Bureau	Larson	Stormon
Bymers	Leet	Symington
Callahan	Luick	Thompson, Griggs
Dalzell	McInnes	Tuff
Dittmer	Mork	Wambheim
Drawz	Mortenson	Welk
Ekren	Nystrom	Westby
Forseth	Ohnstad	Wolf, Morton
Fuglestad	Olson, Barnes	Wollitz
Gainor	Ostgulen	Yirchott
Grenier	Pyle	Mr. Speaker
Halcrow	Rohrer	
Those voting in the negative were:		
Drovdal	Levin	Monson
Engel	Lillehaugen	Schmidt, Logan
Esterby	Lindberg	Schwartz
Frank	Maher	Seibel
Fraser	Moerke	Thompson, Rich'nd
Haag	Mollet	Wolf, McIntosh
Isaak		
Absent and not voting:		
Collette	Fleck	Olson, Bowman
Crockett	Graham	Schmalenberger
Devlin	Lysne	Shockman
Falconer	Moe	Stair
Fitch		

So the bill as amended passed and the title was agreed to.

House Bill No. 44.

In line 16 strike out the word "specilying" and insert the word "specifying".

Rep. Johnson of Richland moved that the House concur in the Senate Amendments to House Bill No. 44, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and House Bill No. 44 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certificates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 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, 97; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Halvorson	Rohrer
Allen, Grand Forks	Haugen	Sailer
Allen, Pierce	Haugland	Sandness
Anderson	Heckman	Saumur
Arndt	Hegge	Schimke
Bagge	Herk	Schlafmann
Baumgartner	Hildre	Schmalenberger
Belzer	Hofstrand	Schmidt, Logan
Benno	Hogoboom	Schmidt, Morton
Blair	Hovey	Schnell
Bolmeier	Isaak	Schwartz
Boucher	Jennings	Seibel
Brady	Johnson, Cass	Sellens
Bubel	Johnson, Richland	Sharpe
Burau	Klefstad	Skaar
Bymers	Langley	Smart
Callahan	Larson	Stanley
Dalzell	Leet	Sticka
Dittmer	Levin	Still
Drawz	Lillehaugen	Stormon
Drovdal	Lindberg	Symington
Ekren	Luick	Thompson, Griggs
Engel	Maher	Thompson, Richl'nd
Esterby	McInnes	Tuff
Fitch	Moerke	Wambheim
Forseth	Mollet	Welk
Frank	Monson	Westby
Fraser	Mork	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Gainor	Nystrom	Wollitz
Grenier	Olson, Barnes	Yirchott
Haag	Ostgulen	Mr. Speaker
Halcrow		

Absent and not voting:

Ejella	Fleck	Olson, Bowman
Collette	Graham	Pyle
Crockett	Lysne	Severson
Devlin	Moe	Shockman
Falconer	Ohnstad	Stair

So the bill as amended passed and the title was agreed to and the emergency clause was declared carried.

House Bill No. 71.

In Section 2, strike out all of line 11 and line 12 up to and including the word "levy" and insert in lieu thereof the following: "whenever in the discretion of the Board of County Commissioners of any County in this State all taxes authorized to be levied".

In Section 4, line 39, strike out the words "is hereby" and in line 40 strike out the word "authorized" and insert in lieu thereof "shall be required".

In line 45 after the word "maturity" insert the following: "such loans to be evidenced by the issuance of Certificates of Indebtedness in the same manner and form as now prescribed by law".

Renumber the lines accordingly.



Rep. Maher moved that the House concur in the Senate amendments to House Bill No. 71, which motion prevailed.

Rep. Maher moved that the rules be suspended and House Bill No. 71 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 71. A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Acheson	Halvorson	Sailer
Allen, Grand Forks	Haugen	Sandness
Allen, Pierce	Haugland	Saumur
Anderson	Heckman	Schimke
Arndt	Hegge	Schlafmann
Bagge	Herk	Schmalenberger
Baumgartner	Hildre	Schmidt, Logan
Belzer	Hofstrand	Schmidt, Morton
Benno	Hogoboom	Schnell
Blair	Hovey	Schwartz
Bolmeier	Isaak	Seibel
Boucher	Jennings	Sellens
Brady	Johnson, Cass	Severson
Bubel	Johnson, Richland	Sharpe
Burau	Klefstad	Skaar
Bymers	Langle	Smart
Callahan	Larson	Stanley
Dalzell	Leet	Sticka
Dittmer	Levin	Still
Drawz	Lillehaugen	Stormon
Drovdal	Lindberg	Symington
Ekren	Luick	Thompson, Griggs
Engel	McInnes	Tuff
Esterby	Maher	Wambheim
Fitch	Moerke	Welk
Forseth	Mollet	Westby
Frank	Monson	Wolf, McIntosh
Fraser	Mork	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Grenier	Olson, Barnes	Yirchott
Haag	Ostgulen	Mr. Speaker
Halcrow	Rohrer	

Absent and not voting:

Bjella	Gainor	Olson, Bowman
Collette	Graham	Pyle
Crockett	Lysne	Shockman
Devlin	Moe	Stair
Falconer	Mortenson	Thompson, Rich'nd
Fleck	Ohnstad	

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Maher moved that the vote by which House Bill No. 71 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 197.

In line 11 of the printed Bill strike out the word "fifteen" and insert in lieu thereof the word "thirty".

Rep. Wolf of McIntosh moved that the House concur in the Senate amendments to House Bill No. 197, which motion prevailed.

Rep. Wolf of McIntosh moved that the rules be suspended and House Bill No. 197 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 3; absent and not voting, 18.

Those voting in the affirmative were:

Allen, Grand Forks	Haugland	Sandness
Allen, Pierce	Heckman	Saumur
Anderson	Hegge	Schimke
Arndt	Herk	Schmalenberger
Bagge	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Hovey	Schwartz
Boucher	Isaak	Seibel
Brady	Johnson, Cass	Sellens
Bubel	Johnson, Richland	Severson
Burau	Klefstad	Sharpe
Bymers	Langley	Skaar
Callahan	Larson	Smart
Dalzell	Leet	Stanley
Dittmer	Levin	Sticka
Drawz	Lillehaugen	Still
Drovdal	Lindberg	Stormon
Ekren	Luick	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Thompson, Richl'nd
Fitch	Moerke	Tuff
Forseth	Mollet	Wambheim
Frank	Monson	Welk
Fraser	Mork	Westby
Fuglestad	Nystrom	Wolf, McIntosh
Grenier	Olson, Barnes	Wolf, Morton
Haag	Ostgulen	Wollitz
Halcrow	Rohrer	Yirchott
Halvorson	Sailer	Mr. Speaker
Haugen		

Those voting in the negative were:

Acheson	Baumgartner	Belzer
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Absent and not voting:

Bjella	Gainor	Ohnstad
Collette	Graham	Olson, Bowman
Crockett	Jennings	Pyle
Devlin	Lysne	Schlafmann
Falconer	Moe	Shockman
Fleck	Mortenson	Stair

So the bill passed as amended and the title was agreed to.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

Was read the second time.

Rep. Johnson of Cass asked the unanimous consent of the House to offer an amendment to Senate Bill No. 2, which consent was granted.

Rep. Johnson of Cass moved that Senate Bill No. 2 be amended as follows:

In line 15 strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$25,000.00".

In line 25 strike out the figures "\$250,000.00" and insert in lieu thereof the figures "\$240,000.00", which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and Senate Bill No. 2 placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Acheson	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Allen, Grand Forks	Haugen	Saumur
Anderson	Haugland	Schmalenberger
Arndt	Heckman	Schmidt, Logan
Bagge	Hegge	Schmidt, Morton
Baumgartner	Herk	Schnell
Belzer	Hofstrand	Schwartz
Blair	Hogoboom	Seibel
Bolmeier	Hovey	Sellens
Boucher	Isaak	Severson
Brady	Johnson, Cass	Sharpe
Bubel	Johnson, Richland	Skaar
Burau	Klefstad	Smart
Bymers	Langley	Stanley
Callahan	Leet	Sticka
Dalzell	Levin	Still
Dittmer	Lillehaugen	Stormon
Drawz	Luick	Symington

Drovdal	McInnes	Thompson, Griggs
Ekren	Maher	Thompson, Richl'nd
Engel	Moerke	Tuff
Esterby	Mollet	Wambheim
Fitch	Monson	Welk
Forseth	Mork	Westby
Frank	Nystrom	Wolf, McIntosh
Fraser	Ohnstad	Wolf, Morton
Fuglestad	Olson, Barnes	Wollitz
Gainor	Ostgulen	Yirchott
Grenier	Pyle	Mr. Speaker
Haag	Rohrer	
Absent and not voting:		
Benno	Graham	Mortenson
Bjella	Hildre	Olson, Bowman
Collette	Jennings	Schimke
Crockett	Larson	Schlafmann
Devlin	Lindberg	Shockman
Falconer	Lysne	Stair
Fleck	Moe	

So the bill passed as amended and the title was agreed to.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 22.

Those voting in the affirmative were:

Acheson	Haag	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Halvorson	Saumur
Anderson	Haugen	Schmalenberger
Arndt	Haugland	Schmidt, Logan
Bagge	Hegge	Schmidt, Morton
Baumgartner	Herk	Schnell
Belzer	Hofstrand	Schwartz
Blair	Hogoboom	Seibel
Bolmeier	Hovey	Sellens
Boucher	Isaak	Severson
Brady	Johnson, Cass	Sharpe
Bubel	Johnson, Richland	Skaar
Burau	Klefstad	Smart
Bymers	Langley	Stanley
Callahan	Leet	Sticka
Dalzell	Levin	Still
Dittmer	Lillehaugen	Stormon
Drawz	Lindberg	Symington
Drovdal	Lysne	Thompson, Griggs
Ekren	McInnes	Thompson, Richl'nd
Engel	Maher	Tuff
Esterby	Moerke	Wambheim
Fitch	Mollet	Welk
Forseth	Monson	Westby
Frank	Nystrom	Wolf, McIntosh

Fraser	Ohnstad	Wolf, Morton
Fuglestad	Olson, Barnes	Wollitz
Gainor	Ostgulen	Yirchott
Grenier	Pyle	Mr. Speaker
Absent and not voting:		
Benno	Heckman	Mortenson
Bjella	Hildre	Olson, Bowman
Collette	Jennings	Sandness
Crockett	Larson	Schimke
Devlin	Luick	Schlafmann
Falconer	Moe	Shockman
Fleck	Mork	Stair
Graham		

So the bill passed as amended and the title was agreed to.

Rep. Johnson of Richland moved that the House recess until 1:00 o'clock p. m., which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

FIFTY-EIGHTH DAY AFTER RECESS  
AND FIFTY-NINTH DAY

Bismarck, March 1, 1945

The House reconvened at 1:00 o'clock p. m., pursuant to recess taken, Speaker Bergesen presiding.

HOUSE COMMITTEE ON ENROLLMENT  
AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 11.  
House Bill No. 61.  
House Bill No. 88.  
House Bill No. 104.  
House Bill No. 144.  
House Bill No. 159.  
House Bill No. 181.  
House Bill No. 186.  
House Bill No. 201.  
House Bill No. 208.  
House Bill No. 214.  
House Bill No. 215.  
House Bill No. 217.  
House Bill No. 218.  
House Bill No. 221.  
House Bill No. 269.  
House Bill No. 270.  
House Bill No. 275.  
House Concurrent Resolution "H".  
House Concurrent Resolution "P".

And find the same correctly enrolled.

REP. LEET, Chairman.

Rep. Moe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 38.  
House Bill No. 87.  
House Bill No. 117.  
House Bill No. 118.  
House Bill No. 139.  
House Bill No. 142.  
House Bill No. 189.

House Bill No. 205.  
 House Concurrent Resolution "M".  
 And find the same correctly Enrolled.

REP. LEET, Chairman.

Rep. Burau 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. 11.  
 House Bill No. 61.  
 House Bill No. 88.  
 House Bill No. 104.  
 House Bill No. 144.  
 House Bill No. 159.  
 House Bill No. 181.  
 House Bill No. 186.  
 House Bill No. 201.  
 House Bill No. 208.  
 House Bill No. 214.  
 House Bill No. 215.  
 House Bill No. 217.  
 House Bill No. 218.  
 House Bill No. 221.  
 House Bill No. 269.  
 House Bill No. 270.  
 House Bill No. 275.  
 House Concurrent Resolution "H".  
 House Concurrent Resolution "P".  
 House Bill No. 38.  
 House Bill No. 87.  
 House Bill No. 117.  
 House Bill No. 118.  
 House Bill No. 139.  
 House Bill No. 142.  
 House Bill No. 189.  
 House Bill No. 205.  
 House Concurrent Resolution "M".

And the Speaker signed the same in the presence of the House.

#### MESSAGES TO THE SENATE

House of Representatives  
 Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development

Senate Bill No. 5. A Bill for an Act Making an Appro-

priation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the North Dakota Revised Code of 1943 Relating to Fines and Penalties.

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 of the North Dakota Revised Code of 1943, Pertaining to the Duties of the State Dairy Commissioner and



Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the North Dakota Revised Code of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Attorney General of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages. Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Attorney General, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Senate Bill No. 155. A Bill for an Act to Permit a Levy of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Sub-section 10 of Section 7-0208 of the North Dakota Revised Code of 1943, Relating to Loans and Investments of Building and Loan Associations, and Declaring an Emergency.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Section 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 114 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Yirchott, Blair and Forseth.

KENNETH L. MORGAN, Chief Clerk.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 203, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Sellens 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. 139, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Richland, Chairman.

Rep. Nystrom moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 81, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. JOHNSON of Richland, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that the vote by which Senate Bill No. 81 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 173, have had the appropriation portion under consideration and recommend that the same do pass.

REP. SYMINGTON, Acting Chairman.

Rep. Sticka moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Welfare to whom was referred Senate Concurrent Resolution No. 2, 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 Banks and Banking to whom was referred Senate Bill No. 168, have had the same under consideration and recommend that the same be amended as follows:

In line 14 of the original bill, strike out the words "appraised value" and substitute the words "true normal value".

At the end of line 15, strike out the period, substitute a comma and add the following: "and in the event of any such loan being made by a state bank in a principal amount in excess of ten percent of the capital and surplus of such bank, it must first be approved by the State Examiner."

Renumber the lines.

And when so amended recommend the same do pass.

REP. CALLAHAN, Chairman.

Rep. Benno moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Benno moved that the rules be suspended and Senate Bill No. 168 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and Senate Bill No. 168 placed on the Calendar.

Mr. Speaker: Your Committee on Employment, to whom was referred House Concurrent Resolution "AA", have had the same under consideration and recommend that the same be amended as follows:

In line 21 strike out the word "six" and insert in lieu thereof the word "five".

And when so amended recommend the same do pass.

REP. BLAIR, Chairman.

Rep. Devlin moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Devlin moved that the rules be suspended and House Concurrent Resolution "AA" be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted and House Concurrent Resolution "AA" placed on the Calendar.

Mr. Speaker: Your Committee on Employment, to whom was referred House Concurrent Resolution "BB", have had the same under consideration and recommend that the same do pass.

REP. BLAIR, Chairman.

Rep. Devlin moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Employment, to whom was referred House Concurrent Resolution "CC", have had the same under consideration and recommend that the same be amended as follows:

Strike out all of lines 42, 43, 44 and 45.

And when so amended recommend the same do pass.

REP. BLAIR, Chairman.

Rep. Devlin moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Blair moved that the rules be suspended and House Concurrent Resolution "CC" be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted, and House Concurrent Resolution "CC" placed on the Calendar.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and

Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

House Bill No. 13. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 24. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

House Bill No. 150. A Bill for an Act Permitting the Bank of North Dakota to Transfer Funds to Other State Departments, to Make Loans and Extend Credit Under Limitations, and Providing Method of Obtaining Additional Funds; Amending and Re-enacting Section 6-0915 of the North Dakota Revised Code of 1943.

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund.

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 26-2202, 26-2203, 26-2210, 26-2212, 26-2211, 26-2213, 26-2214, 26-2216, 26-2221, 26-2223, 26-2224, and 26-2254 of the North Dakota Revised Code for 1943 Relating to the Operations of the State Hail Insurance Department; Defining the Duties of the Commissioner of Insurance; the Crops to Be Insured; Effective Date of Policies; Duties of Assessors, Inspectors, Adjusters, County Auditors; and Their Compensation; Indemnity to Be Paid; Effective Time of Insurance; Securities; Penalties for Violation; Special

Policies; Repealing Acts in Conflict; and Declaring an Emergency.

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on the Postwar Military Establishment and the Status of the National Guard.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for Loss or Damage Arising from the Operation of any Motor Vehicle.

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-enacting, Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0608, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status, Issued by the Secretaries of War and Navy and Other Federal Officers and Employees, and Declaring an Emergency.

House Bill No. 115. A Bill for an Act Authorizing County Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic

Beverages from Having Any Financial Interest in the Business of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers from Giving Financial Aid or Furnishing Fixtures or Other Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Transfer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

House Bill No. 210. A Bill for an Act to Amend and Re-enact Section 61-1230 of the North Dakota Revised Code of 1943.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and to Declare an Emergency.

Senate Bill No. 51. A Bill for an Act Amending and Re-enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code of 1943 Relating to Cooperative Associations and the Purposes of Organization.

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Senate Bill No. 144. A Bill for an Act Transferring Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Senate Bill No. 152. A Bill for an Act to Provide for the Disposition of Any Unclaimed Funds in the Custody of Any Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

**Senate Bill No. 210.** A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hettlinger in Adams County and Langdon in Cavalier County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

**Senate Concurrent Resolution No. 12.** A Concurrent Resolution Memorializing the Interstate Commerce Commission and the Public Service Commission of the State of North Dakota to Take Steps to Remove the Discrimination Now Existing Against the North Dakota Shippers of Grain.

**Senate Concurrent Resolution No. 14.** A Concurrent Resolution Memorializing Congress of the United States of America and the War Department to Utilize the Facilities Available at Fort Lincoln, North Dakota in the Readjustment Program Following the War.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 128.

W. J. TROUT, Secretary.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 228.

In line 15 of the printed Bill strike out the words "a majority" and insert thereof the words "twenty percent", and after the words "free holders" insert the words "and farm tenants".

Rep. Halvorson moved that the House concur in the Senate amendments to House Bill No. 228.

Rep. Bymers offered as a substitute motion that the House do not concur in the Senate amendments to House Bill No. 228, which motion prevailed.

Rep. Bymers moved that a conference committee be appointed on House Bill No. 228, which motion prevailed.

The Speaker appointed Reps. Devlin, Bymers and Halvorson.

#### REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 208, have had the same under consideration and recommend that the same be amended as follows:

In line fifteen of the original bill strike the words "twenty-four" and insert in lieu thereof the words "twenty-six".

In line seventeen strike the words "two thousand" and insert in lieu thereof the words "twenty-four hundred".

In line eighteen strike the words "two thousand" and insert in lieu thereof the words "twenty-four hundred", and renumber the lines as necessary.

And when so amended recommend the same do pass.

REP. BOLMEIER, Chairman.

Rep. Sellens moved that the report be adopted which motion prevailed and the report was adopted.

Rep. Bolmeier moved that the rules be suspended and Senate Bill No. 208 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted, and Senate Bill No. 208 placed on the Calendar.

Rep. Dalzell moved that the Senate be requested to return Senate Bill No. 146, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 1, 1945

Mr. President: I have the honor to request the return of Senate Bill No. 146.

KENNETH L. MORGAN, Chief Clerk.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 7.

In line 3 of the printed Bill strike out the figure "\$14,200.00" and insert in lieu thereof "\$14,800.00"; in line 4 strike out the figure "\$5,146,000.00" and insert in lieu thereof "\$5,146,600.00"; in line 8 strike out the figure "\$5,000.00" and insert in lieu thereof "\$5,600.00"; in line 12 strike out the figure "\$14,200.00" and insert in lieu thereof "\$14,800.00"; and in line 21 strike out the figure "\$5,146,000.00" and insert in lieu thereof "\$5,146,600.00", which motion prevailed.

Rep. Symington moved that the House concur in the Senate amendments to House Bill No. 7, which motion prevailed.

Rep. Symington moved that the rules be suspended and House Bill No. 7 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Hofstrand	Rohrer
Anderson	Halvorson	Sailer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur
Baumgartner	Heckman	Schimke
Belzer	Hegge	Schlafmann
Benno	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Hovey	Schwartz



Boucher	Jennings	Seibel
Brady	Johnson, Cass	Sellens
Bubel	Johnson, Richland	Severson
Burau	Langley	Sharpe
Bymers	Larson	Shockman
Callahan	Leet	Skaar
Collette	Levin	Smart
Crockett	Lillehaugen	Stair
Dalzell	Lindberg	Stanley
Devlin	Luick	Sticka
Dittmer	Lysne	Still
Drawz	McInnes	Stormon
Drovdal	Maher	Symington
Ekren	Moe	Thompson, Griggs
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Fitch	Monson	Welk
Fleck	Mork	Westby
Forseth	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Graham	Olson, Barnes	Mr. Speaker
Gainor		

Those voting in the negative were:

Engel	Haag	Thompson, Rich'nd
Frank	Schmidt, Logan	Wolf, McIntosh

Absent and not voting:

Isaak	Klefstad	Olson, Bowman
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So the bill as amended passed and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to transmit:

House Bill No. 11. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Department of Weights and Measures.

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

House Bill No. 88. A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged to Secure Loans of State School Funds and Conveyed to the State by the Mortgagors or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing: Classification 5.

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 50-0701, 50-0703, and 50-0715 of the North Dakota Revised Code of 1943 Pertaining to Definitions, Eligibility for Assistance, Payment of Assistance to Guardian for Benefit of Recipient, and Providing for Authority to Compromise and Settle Claims, for Old Age Assistance.

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 61-2142 of the North Dakota Revised Code of 1943, as Amended by Chapter 14 of the 1944 Special Session Laws, Relating to Repairs of Existing Drains and Declaring an Emergency.

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of Premises and Report by the State Department of Health and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and Concerning Need for Such Homes in Any Given Community; and Providing for a Penalty.

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State

Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Administration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

House Concurrent Resolution "P." Authorizing Imprinting the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

House Bill No. 142. A Bill for an Act to Amend and Re-enact Sections 15-3608 and 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six

Years Old and Deposit to General Fund and Subsequent Payment.

House Concurrent Resolution "M." Memorializing the Congress of the United States to Enact Legislation Permitting the Cancellation of All Accrued Interest Charges on Outstanding Feed and Seed Loans.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 20.

In line 4 of the original bill, strike out the figures 530,050.00 and insert in lieu thereof the figures 546,750.00.

In line 12, strike out the figures 340,000.00 and insert in lieu thereof the figures 355,000.00.

In line 33, strike out the figures 677,250.00 and insert in lieu thereof the figures 692,250.00.

After line 47, add the following new line:

47a. 7. Truck Exchange .....1,700.00

In line 48, strike out the figures 730,050.00 and insert in lieu thereof the figures 746,750.00.

Rep. Sticka moved that the House concur in the Senate amendments to House Bill No. 20, which motion prevailed.

Rep. Sticka moved that the rules be suspended and House Bill No. 20 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Grenier	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Haugen	Sailer
Arndt	Halvorson	Sandness
Bagge	Haugland	Saumur
Baumgartner	Heckman	Schlafmann
Belzer	Herk	Schmalenberger
Benno	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Hovey	Schwartz
Boucher	Isaak	Sellens
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Severson
Bureau	Johnson, Richland	Sharpe
Bymers	Langley	Shockman

Callahan	Larson	Skaar
Collette	Leet	Stair
Dalzell	Levin	Stanley
Devlin	Lillehaugen	Sticka
Dittmer	Lindberg	Still
Drawz	Luick	Stormon
Drovdal	Lysne	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Richl'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Fuglestad	Mortenson	Wolf, Morton
Frank	Nystrom	Wollitz
Fraser	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Graham		

Absent and not voting:

Crockett	Klefstad	Schimke
Hegge	Olson, Bowman	Smart

So the bill passed as amended and the title was agreed to.  
House Bill No. 21.

On line 3, after the word "fund" insert a comma (,) and strike out the word "and".

On line 5, after the word "fund" insert "and the sum of \$200,000.00 from the Twine Operating Fund".

On line 6, strike out the figures \$401,657.00 and insert in lieu thereof the figures \$501,657.00.

Between lines 40 and 41, insert the following:

New Buildings:

"Administration Building (\$100,000.00 from the  
General Fund and \$200,000.00 from the Twine  
Operating Fund) .....\$300,000.00

In line 67, strike out the figures \$519,657.00 and insert in lieu thereof the figures \$819,657.00.

Renumber the lines accordingly.

Rep. Johnson of Cass moved that the House concur in the Senate amendments to House Bill No. 21, which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and House Bill No. 21 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 75; nays, 32; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Fleck	McInnes
Allen, Grand Forks	Fraser	Maher
Allen, Pierce	Fuglestad	Mortenson
Anderson	Gainor	Nystrom
Arndt	Grenier	Ohnstad
Bagge	Halcrow	Olson, Barnes
Baumgartner	Haugen	Ostgulen
Benno	Haugland	Pyle
Bjella	Heckman	Rohrer
Blair	Hegge	Sailer
Bolmeier	Herk	Sandness
Boucher	Hildre	Saumur
Brady	Hofstrand	Schlafmann
Bubel	Hogoboom	Schwartz
Bureau	Hovey	Seibel
Bymers	Isaak	Severson
Callahan	Jennings	Sharpe
Collette	Johnson, Cass	Skaar
Dalzell	Johnson, Richland	Smart
Devlin	Langley	Stair
Dittmer	Larson	Still
Drawz	Leet	Thompson, Griggs
Ekren	Levin	Westby
Falconer	Luick	Yirchott
Fitch	Lysne	Mr. Speaker

Those voting in the negative were:

Belzer	Moe	Sticka
Crockett	Moerke	Stormon
Drovdal	Mollet	Symington
Engel	Monson	Thompson, Rich'nd
Esterby	Mork	Tuff
Forseth	Schmalenberger	Wambheim
Frank	Schmidt, Logan	Welk
Haag	Schmidt, Morton	Wolf, McIntosh
Halvorson	Schnell	Wolf, Morton
Lillehaugen	Shockman	Wollitz
Lindberg	Stanley	

Absent and not voting:

Graham	Olson, Bowman	Sellens
Klefstad	Schimke	

So the bill passed as amended and the title was agreed to.  
House Bill No. 22.

In line 7, change the word "incl." to read "including."

In line 36, change the word "Bldgs." to read "Buildings."

In line 44, change the word "Bldg." to read "Building."

In line 49, change "Sch." to read "School" and in the same line change the word "incl." to read "including."

In line 50, change the word "Equip." to read "Equipment."

In line 56, change the word "Equip." to read "Equipment."

Rep. Welk moved that the House concur in the Senate amendments to House Bill No. 22, which motion prevailed.

Rep. Welk moved that the rules be suspended and House Bill No. 22 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and

Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 109; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Graham	Ostgulen
Allen, Grand Forks	Haag	Pyle
Allen, Pierce	Halcrow	Rohrer
Anderson	Halvorson	Sailer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur
Baumgartner	Heckman	Schimke
Belzer	Hegge	Schlafmann
Benno	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Logan
Blair	Hofstrand	Schmidt, Morton
Bolmeier	Hogoboom	Schnell
Boucher	Hovey	Schwartz
Brady	Isaak	Seibel
Bubel	Jennings	Sellens
Burau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Langley	Shockman
Collette	Larson	Skaar
Crockett	Leet	Smart
Dalzell	Levin	Stair
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Luick	Still
Drovdal	Lysne	Stormon
Ekren	McInnes	Symington
Engel	Maher	Thompson, Rich'nd
Esterby	Moe	Tuff
Falconer	Moerke	Wambheim
Fitch	Mollet	Welk
Fleck	Monson	Westby
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Grenier		

Absent and not voting:

Klefstad                      Olson, Bowman                      Thompson, Griggs

So the bill passed as amended and the title was agreed to.

Rep. Fitch moved that the vote by which Senate Bill No. 22 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### 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 be amended as follows:

Line 10—Strike out the figures "\$1,099,747.00" and insert in lieu thereof the figures "\$1,135,437.00".

Line 11—Strike out the figures “831,890.00” and insert in lieu thereof the figures “951,890.00”.

Line 12—Change the word “Agri.” to read “Agricultural”, “Expr.” to read “Experiment”.

Line 13—Change the word “Agri.” to read “Agricultural”, “Exten.” to read “Extension”.

Line 14—Strike out the figures “75,998.00” and insert in lieu thereof the figures “75,923.00”.

Line 15—Change the word “Sch.” to read “School” and strike out the figures “169,035.00” and insert in lieu thereof the figures “168,935.00”.

Line 17—Strike out the figures “237,106.00” and insert in lieu thereof the figures “238,781.00”.

Line 18—Strike out the figures “226,831.00” and insert in lieu thereof the figures “229,831.00”.

Line 19—Strike out the figures “300,395.00” and insert in lieu thereof the figures “290,395.00”.

Line 20—Strike out the figures “373,744.00” and insert in lieu thereof the figures “376,744.00”.

Line 27—Change the word “Sch.” to read “School”.

Line 51—Strike out the figures “\$104,227.00” and insert in lieu thereof the figures “\$113,227.00”.

Line 53—Strike out the figures “18,400.00” and insert in lieu thereof the figures “20,000.00”.

Line 55—Strike out the figures “232,512.00” and insert in lieu thereof the figures “252,712.00”.

Line 56—Strike out the figures “50,520.00” and insert in lieu thereof the figures “54,920.00”.

Line 57—Strike out the figures “124,607.00” and insert in lieu thereof the figures “135,407.00”.

Line 60—Strike out the figures “20,048.00” and insert in lieu thereof the figures “21,848.00”.

Line 61—Strike out the figures “20,000.00” and insert in lieu thereof the figures “20,590.00”.

Line 62—Strike out the figures “26,709.00” and insert in lieu thereof the figures “29,009.00”.

Line 63—Strike out the figures “\$698,385.00” and insert in lieu thereof the figures “\$749,075.00”.

Line 67—Change the word “Mtce.” to read “Maintenance”.

Line 69—Strike out the figures “237,000.00” and insert in lieu thereof the figures “222,000.00”.

Line 74—Strike out the figures “1,184,747.00” and insert in lieu thereof the figures “1,220,437.00”.

Line 77—Strike out the figures “849,747.00” and insert in lieu thereof the figures “885,437.00”.

Line 78—After the words “New Buildings:” strike out the balance of the line.

Line 79—Strike out in its entirety.

Line 81—Strike out the figures “\$1,099,747.00” and insert in lieu thereof the figures “\$1,135,473.00”.

Line 83—Strike out the figures “\$571,900.00” and insert in lieu thereof the figures “\$591,900.00”.

Line 87—Change the word “Mtce.” to read “Maintenance”.



Line 88—Change the word "Place." to read "Placement".

Line 89—Change the word "Serv." to read "Service".

Line 94—Strike out the figures "1,116,890.00" and insert in lieu thereof the figures "1,136,890.00".

Line 97—Strike out the figures "666,890.00" and insert in lieu thereof the figures "686,890.00".

Line 98—After the words "New Buildings:" strike out the balance of the line.

Line 99—Strike out in its entirety.

Line 102—Strike out the figures "\$931,890.00" and insert in lieu thereof the figures "\$951,890.00".

Line 103—Change the words "AGRIC." to read "AGRICULTURAL" and "EXPR." to read "EXPERIMENT".

Line 105—Change the word "Mtce." to read "Maintenance".

Line 113—Change the word "Mtce." to read "Maintenance".

Line 114—Change the word "Mtce." to read "Maintenance".

Line 115—Change the word "Mtce." to read "Maintenance".

Line 116—Change the word "Expr." to read "Experiment" and "Mtce." to read "Maintenance".

Line 117—Change the word "Mtce." to read "Maintenance".

Line 119—Change the word "Mtce." to read "Maintenance".

Line 122—Change the word "AGRIC." to read "AGRICULTURAL" and "EXTEN." to read "EXTENSION".

Line 139—Change the word "Mtce." to read "Maintenance".

Line 140—Change the words "Health&" to read "Health &", "Place." to "Placement" and "Serv." to "Service".

Line 146—Strike out the figures "102,998.00" and insert in lieu thereof the figures "102,923.00".

Line 148—Strike out the figures "\$75,998.00" and insert in lieu thereof the figures "\$75,923.00".

Line 154—Change the word "Mtce." to read "Maintenance".

Line 155—Change the word "Place." to read "Placement" and "Ser." to read "Service".

Line 160—Change the word "Equip." to read "Equipment", strike out the period after the word "Arts" and change the word "Bldg." to read "Building".

Line 161—Strike out the figures "224,035.00" and insert in lieu thereof the figures "223,935.00".

Line 163—Strike out the figures "\$169,035.00" and insert in lieu thereof the figures "\$168,935.00".

Line 169—Change the word "Mtce." to read "Maintenance".

Line 170—Change the word "Place." to read "Placement" and "Serv." to read "Service."

Line 182—Strike out the figures "\$152,325.00" and insert in lieu thereof the figures "\$154,000.00".

Line 186—Change the word "Mtce." to read "Maintenance".

Line 187—Change the word "Place." to read "Placement" and "Serv." to read "Service".

Line 192—Strike out the figures "276,106.00" and insert in lieu thereof the figures "277,781.00".

Line 195—Capitalize the word "appropriation" and strike out the figures "\$237,106.00" and insert in lieu thereof the figures "\$238,781.00".

Line 197—Strike out the figures "\$127,030.00" and insert in lieu thereof the figures "\$130,030.00".

Line 201—Change the word "Mtce." to read "Maintenance".

Line 202—Change the word "Place." to read "Placement" and "Serv." to "Service".

Line 207—Strike out the figures "251,831.00" and, insert in lieu thereof the figures "254,831.00".

Line 209—Strike out the figures "191,831.00" and insert in lieu thereof the figures "194,831.00".

Line 211—Change the word "Impr." to read "Improvements".

Line 212—Strike out the figures "\$226,831.00" and insert in lieu thereof the figures "\$229,831.00".

Line 214—Strike out the figures "\$259,724.00" and insert in lieu thereof the figures "\$249,724.00".

Line 218—Change the word "Mtce." to read "Maintenance".

Line 219—Change the word "Place." to read "Placement" and "Ser." to read "Service".

Line 224—Strike out the figures "445,395.00" and insert in lieu thereof the figures "435,395.00".

Line 227—Strike out the figures "\$300,395.00" and insert in lieu thereof the figures "\$290,395.00".

Line 229—Strike out the figures "\$243,393.00" and insert in lieu thereof the figures "\$246,393.00".

Line 233—Change the word "Mtce." to read "Maintenance".

Line 234—Change the word "Place." to read "Placement" and "Ser." to read "Service".

Line 240—Strike out the figures "500,744.00" and insert in lieu thereof the figures "503,744.00".

Line 243—Strike out the figures "\$373,744.00" and insert in lieu thereof the figures "\$376,744.00".

And further amend by renumbering the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that the rules be suspended and Senate Bill No. 1 be amended as recommended by the Standing Committee Report, which motion prevailed and the amendments were declared adopted, and Senate Bill No. 1 placed on the Calendar.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 196 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 196, have had the same under consideration and recommend:

That the Senate do recede from their amendment to House Bill 196.

For the Senate:

P. L. FOSS  
ORRIS G. NORDHOUGEN  
P. I. DAHLEN

For the House:

W. M. CROCKETT  
CURTIS OLSON  
AL JOHNSON

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Richland moved that the House recess ten minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

Speaker Bergesen: In announcing the vote on Senate Bill No. 189 yesterday the Bill was declared passed. After further consideration it is found that the same failed of passage since it required a constitutional majority and the vote as announced was one short of the required number.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 196.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return Senate Bill No. 146 which the House requested.

W. J. TROUT, Secretary.

Rep. Moe moved that any bills in Standing Committee not reported in by 1:00 o'clock p.m., tomorrow be considered in possession of the House and placed in General Orders, which motion prevailed.

Rep. Welk moved that the absent members be excused, which motion prevailed.

Rep. Levin moved that action on Senate Bill No. 146 be reconsidered and a new Conference Committee appointed, which motion prevailed.

The Speaker appointed Reps. Dalzell, Collette and Levin.

Rep. Devlin moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

#### FIFTY-NINTH DAY

Bismarck, March 1, 1945

The House convened at 2:00 o'clock p.m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Rev. Joseph Bachman.

Roll call: All members present except Reps. Olson of Bowman and Klefstad.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-Seventh Day After Recess and the Fifty-Eighth Day and recommends that the same be corrected as follows:

On page 1007 strike out the line "Those Voting in the negative were;" and insert in lieu thereof "Absent and not voting."

In line 10 on page 957 change 261 to "201"

Between lines 18 and 19 from the bottom of page 960 insert the following: House Bill No. 61.

In line 28 strike out "not" and insert the word "nor".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE FROM THE GOVERNOR

State of North Dakota

#### OFFICE OF THE GOVERNOR

Bismarck

March 1, 1945

Members of the House of Representatives  
House Chambers  
Capitol Building  
Bismarck, North Dakota

Gentlemen:

I have today approved and signed House Bills Number 46, 65, 100, 136, 187, 200, 242, 248, and 281, and the same have been delivered to the Secretary of State's Office.

Respectfully,

FRED G. AANDAHL  
Governor

#### REPORT OF STANDING COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 69.  
House Bill No. 79.  
House Bill No. 92.  
House Bill No. 106.  
House Bill No. 115.  
House Bill No. 165.  
House Bill No. 188.  
House Bill No. 210.

Were delivered to the Governor for his approval at the hour of 2:55 P.M. o'clock, March 1, 1945.

REP. LEET, Chairman.

Rep. Wolf of McIntosh moved that the Senate be requested to return Senate Bill No. 189, which motion prevailed.

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to request the return of Senate Bill No. 189.

KENNETH L. MORGAN, Chief Clerk.

Rep. Johnson of Richland moved that the vote by which Senate Bill No. 105 was indefinitely postponed be reconsidered, which motion prevailed.

Rep. Johnson of Richland moved that Senate Bill No. 105 be placed on the Calendar, which motion prevailed.

Rep. Haugen moved that the House reconsider the action taken by which the House concurred in the Senate amendments to House Bill No. 21, which motion prevailed.

A division was called for and granted and the same disclosed that the motion prevailed.

Rep. Sticka moved that a Conference Committee be appointed on House Bill No. 21, which motion prevailed.

The Speaker appointed Reps. Falconer, Sticka and Olson of Barnes.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 21 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Falconer, Sticka and Olson of Barnes.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 228 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Devlin, Bymers and Halvorson.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 7 and 20.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Bill No. 32. A Bill for an Act Transferring to the Veterans Post-War Rehabilitation Reserve Fund the Sum of Five Hundred Thousand Dollars (\$500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of Fraine Barracks in Burleigh County, North Dakota; Providing for Method of Disbursement, and Declaring an Emergency.

Senate Bill No. 74. A Bill for an Act to Amend and Re-

enact Section 26-1501 of the North Dakota Revised Code of 1943, Relating to Organization of County Mutual Insurance Companies.

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State, Its Agencies, Municipalities and Other Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings, Specifications, Procedures, and Other Actions Preliminary to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 18, 32, 44, 61, 71, 158, 159, 197, 283 and House Concurrent Resolution "H".

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 9. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "DD." A Concurrent Resolution Memorializing the Director of the War Production Board

With Reference to the Furnishing of Materials for the Manufacture of Farm Machinery.

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 46.  
 Senate Bill No. 51.  
 Senate Bill No. 84.  
 Senate Bill No. 95.  
 Senate Bill No. 131.  
 Senate Bill No. 134.  
 Senate Bill No. 141.  
 Senate Bill No. 144.  
 Senate Bill No. 152.  
 Senate Bill No. 210.  
 Senate Concurrent Resolution No. 12.  
 Senate Concurrent Resolution No. 14.

And the Speaker signed the same in the presence of the House.

Rep. Johnson of Cass moved that the House reconsider its action whereby the Committee amendments to House Concurrent Resolution "CC" were adopted, which motion prevailed.

Rep. Johnson of Cass moved that House Concurrent Resolution "CC" be re-referred to the Employment Committee, which motion prevailed.

Rep. Forseth moved that the House reconsider action by which the Committee amendments to House Concurrent Resolution "AA" were adopted, which motion prevailed.

Rep. Forseth moved that House Concurrent Resolution "AA" be re-referred to the Committee on Employment, which motion prevailed.

#### SECOND READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "BB".

Was read the second time.

#### ROLL CALL

The question being on the adoption of the Resolution, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Acheson	Halcrow	Rohrer
Allen, Pierce	Halvorson	Saumur
Anderson	Haugland	Schimke
Arndt	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Isaak	Seibel

Brady	Jennings	Sellens
Bubel	Johnson, Cass	Severson
Burau	Johnson, Richland	Sharpe
Bymers	Klefstad	Shockman
Callahan	Langley	Skaar
Collette	Larson	Smart
Crockett	Leet	Stair
Devlin	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	Moerke	Thompson, Rich'nd
Esterby	Mollet	Tuff
Falconer	Monson	Welk
Fitch	Mork	Westby
Fleck	Mortenson	Wolf, McIntosh
Forseth	Nystrom	Wolf, Morton
Frank	Ohnstad	Wollitz
Gainor	Olson, Barnes	Yirchott
Grenier	Ostgulen	Mr. Speaker
Haag	Pyle	

Absent and not voting:

Allen, Grand Forks	Graham	Olson, Bowman
Bagge	Haugen	Sailer
Belzer	Hovey	Sandness
Dalzell	McInnes	Thompson, Griggs
Fraser	Maher	Wambheim
Fuglestad	Moe	

So the resolution was adopted.

MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report to House Bill No. 196.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 12. A Concurrent Resolution Memorializing the Interstate Commerce Commission and the Public Service Commission of the State of North Dakota to Take Steps to Remove the Discrimination Now Existing Against the North Dakota Shippers of Grain.

Senate Concurrent Resolution No. 14. A Concurrent Resolution Memorializing Congress of the United States of America and the War Service Commission to Utilize the Facilities Available at Fort Lincoln, North Dakota in the Readjustment Program Following the War.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.



House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and to Declare an Emergency.

Senate Bill No. 51. A Bill for an Act Amending and Re-enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code of 1943 Relating to Cooperative Associations and the Purposes of Organization.

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Senate Bill No. 144. A Bill for an Act Transferring Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Senate Bill No. 152. A Bill for an Act to Provide for the Disposition of Any Unclaimed Funds in the Custody of Any Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

Senate Bill No. 210. A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hettinger in Adams County and Langdon in Cavalier County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Acheson	Gainor	Rohrer
Allen, Grand Forks	Grenier	Pyle
Allen, Pierce	Haag	Sandness
Anderson	Halcrow	Saumur
Arndt	Halvorson	Schlafmann
Baumgartner	Haugen	Schmalenberger
Benno	Haugland	Schmidt, Logan
Bjella	Heckman	Schmidt, Morton
Bolmeier	Hegge	Schnell
Boucher	Herk	Schwartz
Brady	Hildre	Sellens
Bubel	Hofstrand	Severson
Burau	Hogoboom	Shockman
Bymers	Hovey	Skaar
Callahan	Isaak	Smart
Collette	Jennings	Stair
Dalzell	Johnson, Richland	Stanley
Devlin	Langley	Sticka
Dittmer	Larson	Still
Drawz	Levin	Stormon
Drovdal	Lillehaugen	Symington
Ekren	Lindberg	Thompson, Griggs
Engel	Luick	Thompson, Richl'nd
Esterby	Lysne	Tuff
Faleoner	Monson	Welk
Fitch	Mork	Westby
Fleck	Mortenson	Wolf, McIntosh
Forseth	Nystrom	Wollitz
Frank	Ohnstad	Yirehott
Fraser	Olson, Barnes	Mr. Speaker
Fuglestad	Ostgulen	

Absent and not voting:

Bagge	Leet	Sailer
Belzer	McInnes	Schimke
Blair	Maher	Seibel
Crockett	Moe	Sharpe
Graham	Moerke	Wambheim
Johnson, Cass	Mollet	Wolf, Morton
Klefstad	Olson, Bowman	

So the bill as amended passed and the title was agreed to.

The Speaker called Rep. Heckman to the Chair.

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 5; absent and not voting, 21.

Those voting in the affirmative were:

Acheson	Halcrow	Rohrer
Allen, Pierce	Halvorson	Sandness

Anderson	Haugen	Saumur
Arndt	Haugland	Schimke
Baumgartner	Heckman	Schmalenberger
Benno	Hegge	Schmidt, Logan
Bjella	Herk	Schmidt, Morton
Bolmeier	Hildre	Schnell
Boucher	Hofstrand	Schwartz
Burau	Hogoboom	Sellens
Brady	Hovey	Severson
Bymers	Johnson, Cass	Shockman
Dalzell	Johnson, Richland	Skaar
Devlin	Langley	Smart
Dittmer	Larson	Stair
Drawz	Levin	Sticka
Drovdal	Lillehaugen	Still
Ekren	Lindberg	Stormon
Engel	Luick	Symington
Esterby	Lysne	Thompson, Griggs
Falconer	Maher	Thompson, Rich'nd
Forseth	Monson	Tuff
Fitch	Mork	Welk
Fleck	Mortenson	Westby
Frank	Nystrom	Wolf, McIntosh
Fraser	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Yirchott
Grenier	Ostgulen	Mr. Speaker
Haag	Pyle	
Those voting in the negative were:		
Bubel	Jennings	Schlafmann
Isaak	Moe	
Absent and not voting:		
Allen, Grand Forks	Gainor	Olson, Bowman
Bagge	Graham	Sailer
Belzer	Klefstad	Seibel
Blair	Leet	Sharpe
Callahan	McInnes	Stanley
Collette	Moerke	Wambheim
Crockett	Mollet	Wolf, Morton

So the bill as amended passed and the title was agreed to.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 57-1516 of the North Dakota Revised Code of 1943 Providing for a Tax Levy for Building Fund in School Districts and Providing for an Election to Authorize the Levy of Said Tax, and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 1; absent and not voting, 25.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Pierce	Halcrow	Pyle
Anderson	Halvorson	Rohrer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur

Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Hofstrand	Schmidt, Logan
Bjella	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Schnell
Boucher	Isaak	Schwartz
Bureau	Jennings	Sellens
Bymers	Johnson, Cass	Severson
Dalzell	Johnson, Richland	Shockman
Devlin	Langley	Skaar
Dittmer	Larson	Stair
Drawz	Levin	Sticka
Drovdal	Lillehaugen	Still
Ekren	Lindberg	Stormon
Engel	Luick	Symington
Esterby	Lysne	Thompson, Griggs
Falconer	McInnes	Tuff
Fitch	Maher	Wambheim
Fleck	Moe	Welk
Frank	Monson	Westby
Fraser	Mork	Wolf, McIntosh
Fuglestad	Mortenson	Wollitz
Gainor	Nystrom	Yirchott
Grenier	Ohnstad	

Those voting in the negative were:

Thompson, Richland

Absent and not voting:

Allen, Grand Forks	Herk	Sailer
Blair	Hildre	Schimke
Brady	Klefstad	Seibel
Bubel	Leet	Sharpe
Callahan	Moerke	Smart
Collette	Mollet	Stanley
Crockett	Olson, Barnes	Wolf, Morton
Forseth	Olson, Bowman	Mr. Speaker
Graham		

So the bill as amended passed and the title was agreed to and the emergency clause was declared carried.

Rep. Wolf of McIntosh moved that the vote by which Senate Bill No. 97 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 3; absent and not voting, 26.

Those voting in the affirmative were:

Acheson	Haag	Sandness
Allen, Pierce	Halcrow	Saumur
Anderson	Haugen	Schlafmann
Arndt	Haugland	Schmalenberger
Bagge	Heckman	Schmidt, Logan
Baumgartner	Hildre	Schmidt, Morton
Belzer	Hofstrand	Schnell
Benno	Hogoboom	Schwartz

Bjella	Hovey	Sellens
Bolmeier	Isaak	Severson
Boucher	Jennings	Shockman
Burau	Johnson, Cass	Skaar
Bymers	Johnson, Richland	Smart
Dalzell	Langley	Stanley
Devlin	Larson	Sticka
Dittmer	Levin	Still
Drawz	Lillehaugen	Stormon
Drovdal	Luick	Symington
Ekren	Lysne	Thompson, Griggs
Engel	McInnes	Tuff
Esterby	Maher	Wambheim
Falconer	Monson	Welk
Fitch	Mork	Westby
Fleck	Mortenson	Wolf, McIntosh
Frank	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Pyle	Mr. Speaker
Grenier	Rohrer	
Those voting in the	negative were:	
Halvorson	Moe	Thompson, Richl'nd
Absent and not voting:		
Allen, Grand Forks	Graham	Olson, Bowman
Blair	Hegge	Ostgulen
Brady	Herk	Sailer
Bubel	Klefstad	Schimke
Callahan	Leet	Seibel
Collette	Lindberg	Sharpe
Crockett	Moerke	Stair
Forseth	Mollet	Wolf, Morton
Fraser	Olson, Barnes	

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return Senate Bill No. 189 which the House requested.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Which the Senate has amended.

W. J. TROUT, Secretary.

SECOND READING OF RESOLUTIONS

Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.

Was read the second time.

ROLL CALL

The question being on the adoption of the Resolution, as amended, the roll was called and there were ayes, 74; nays, 3; absent and not voting, 35.

Those voting in the affirmative were:

Acheson	Halcrow	Rohrer
Allen, Pierce	Heckman	Sandness
Bagge	Herk	Saumur
Baumgartner	Hildre	Schlafmann
Belzer	Hofstrand	Schmalenberger
Benno	Hogoboom	Schmidt, Logan
Bolmeier	Hovey	Schmidt, Morton
Boucher	Isaak	Schnell
Brady	Jennings	Schwartz
Burau	Johnson, Cass	Sellens
Bymers	Johnson, Richland	Shockman
Dalzell	Langley	Skaar
Devlin	Larson	Smart
Dittmer	Luick	Stanley
Drawz	Lysne	Sticka
Drovdal	McInnes	Still
Ekren	Maher	Stormon
Engel	Moe	Symington
Falconer	Monson	Thompson, Richl'nd
Fitch	Mork	Wambheim
Fleck	Mortenson	Welk
Frank	Ohnstad	Westby
Gainor	Olson, Barnes	Wolf, McIntosh
Grenier	Ostgulen	Yirchott
Haag	Pyle	

Those voting in the negative were:

Fuglestad	Thompson, Griggs	Tuff
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Absent and not voting:

Allen, Grand Forks	Graham	Nystrom
Anderson	Halvorson	Olson, Bowman
Arndt	Haugen	Sailer
Bjella	Haugland	Schimke
Blair	Hegge	Seibel
Bubel	Klefstad	Severson
Callahan	Leet	Sharpe
Collette	Levin	Stair
Crockett	Lillehaugen	Wolf, Morton
Esterby	Lindberg	Wollitz
Forseth	Moerke	Mr. Speaker
Fraser	Mollet	

So the resolution as amended was adopted.

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Was read the second time.

## ROLL CALL

The question being on the adoption of the Resolution, as amended, the roll was called and there were ayes, 74; nays, 0; absent and not voting, 38.

Those voting in the affirmative were:

Acheson	Heckman	Sandness
Allen, Pierce	Herk	Saumur
Baumgartner	Hildre	Schlafmann
Belzer	Hofstrand	Schmalenberger
Benno	Hogoboom	Schmidt, Logan
Bolmeier	Hovey	Schmidt, Morton
Brady	Isaak	Schwartz
Bureau	Jennings	Schnell
Dalzell	Johnson, Richland	Sellens
Devlin	Langley	Skaar
Dittmer	Larson	Smart
Drawz	Lindberg	Stanley
Drovdal	Luick	Sticka
Ekren	Lysne	Still
Engel	Maher	Stormon
Falconer	McInnes	Symington
Fitch	Moe	Thompson, Griggs
Fleck	Monson	Thompson, Richl'nd
Frank	Mork	Tuff
Fraser	Mortenson	Wambheim
Fuglestad	Ohnstad	Welk
Gainor	Olson, Barnes	Westby
Grenier	Ostgulen	Wolf, McIntosh
Haag	Pyle	Yirchott
Halcrow	Rohrer	

Absent and not voting:

Allen, Grand Forks	Forseth	Nystrom
Anderson	Graham	Olson, Bowman
Arndt	Halvorson	Sailer
Bagge	Haugen	Schimke
Bjella	Haugland	Seibel
Blair	Hegge	Severson
Boucher	Johnson, Cass	Sharpe
Bubel	Klefstad	Shockman
Bymers	Leet	Stair
Callahan	Levin	Wolf, Morton
Collette	Lillehaugen	Wollitz
Crockett	Moerke	Mr. Speaker
Esterby	Mollet	

So the resolution as amended was declared adopted.

Rep. Olson of Barnes moved that the House recess for fifteen minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the

House has concurred in the Senate amendment to House Bill No. 22.

KENNETH L. MORGAN, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Compliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 81; nays, 0; absent and not voting, 31.

Those voting in the affirmative were:

Allen, Pierce	Grenier	Olson, Barnes
Anderson	Halcrow	Ostgulen
Arndt	Halvorson	Pyle
Bagge	Haugen	Rohrer
Baumgartner	Haugland	Sandness
Belzer	Heckman	Saumur
Bjella	Hegge	Schlafmann
Blair	Herk	Schmidt, Logan
Bolmeier	Hildre	Schwartz
Boucher	Hogoboom	Seibel
Brady	Hovey	Sellens
Bubel	Isaak	Shockman
Bureau	Jennings	Skaar
Bymers	Johnson, Cass	Smart
Callahan	Johnson, Richland	Stair
Crockett	Langley	Stanley
Dittmer	Levin	Still
Drawz	Lillehaugen	Stormon
Ekren	Lindberg	Symington
Esterby	Luick	Thompson, Griggs
Falconer	Lysne	Tuff
Fitch	McInnes	Welk
Fleck	Maher	Westby
Forseth	Moe	Wolf, McIntosh
Frank	Monson	Wolf, Morton
Fuglestad	Mork	Yirchott
Gainor	Mortenson	Mr. Speaker

Absent and not voting:

Acheson	Hofstrand	Schimke
Allen, Grand Forks	Klefstad	Schmalenberger
Benno	Larson	Schmidt, Morton
Collette	Leet	Schnell
Dalzell	Moerke	Severson
Devlin	Mollet	Sharpe
Drovdal	Nystrom	Sticka
Engel	Ohnstad	Thompson, Rich'nd
Fraser	Olson, Bowman	Wambheim
Graham	Sailer	Wollitz
Haag		

So the bill passed and the title was agreed to.



Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code of 1943, Relating to the Oath of Office, Filling of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 4; absent and not voting, 26.

Those voting in the affirmative were:

Acheson	Halcrow	Pyle
Allen, Pierce	Halvorson	Rohrer
Anderson	Haugen	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmidt, Logan
Belzer	Herk	Schmidt, Morton
Bjella	Hildre	Schwartz
Blair	Hofstrand	Seibel
Bolmeier	Hogoboom	Sellens
Brady	Hovey	Severson
Bubel	Jennings	Shockman
Bureau	Johnson, Richland	Skaar
Bymers	Johnson, Cass	Smart
Callahan	Langley	Stair
Devlin	Levin	Stanley
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Esterby	Luick	Symington
Falconer	McInnes	Thompson, Griggs
Fitch	Maher	Tuff
Forseth	Monson	Welk
Frank	Mork	Westby
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Ohnstad	Wolf, Morton
Gainor	Olson, Barnes	Yirchott
Graham	Ostgulen	Mr. Speaker
Grenier		

Those voting in the negative were:

Crockett	Lysne	Moe
Isaak		

Absent and not voting:

Allen, Grand Forks	Haag	Schimke
Benno	Klefstad	Schmalenberger
Boucher	Larson	Schnell
Collette	Leet	Sharpe
Dalzell	Moerke	Sticka
Drovdal	Mollet	Thompson, Richl'nd
Ekren	Nystrom	Wambheim
Engel	Olson, Bowman	Wollitz
Fleck	Sailer	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 22. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Commissioner of Veterans' Affairs.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Acheson	Halcrow	Ostgulen
Allen, Grand Forks	Halvorson	Pyle
Allen, Pierce	Haugen	Rohrer
Anderson	Haugland	Sailer
Arndt	Hegge	Sandness
Bagge	Herk	Saumur
Baumgartner	Hildre	Schlafmann
Belzer	Hofstrand	Schmalenberger
Benno	Hovey	Schmidt, Logan
Bjella	Isaak	Schmidt, Morton
Bolmeier	Jennings	Schwartz
Boucher	Johnson, Cass	Seibel
Brady	Johnson, Richland	Sellens
Bubel	Langley	Severson
Burau	Larson	Sharpe
Bymers	Leet	Shockman
Callahan	Levin	Skaar
Crockett	Lillehaugen	Smart
Devlin	Lindberg	Stair
Dittmer	Luick	Stanley
Drawz	Lysne	Sticka
Ekren	McInnes	Still
Engel	Maher	Stormon
Esterby	Moe	Symington
Falconer	Moerke	Thompson, Griggs
Fitch	Mollet	Tuff
Forseth	Monson	Welk
Frank	Mork	Westby
Fraser	Mortenson	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gainor	Ohnstad	Yirchott
Grenier	Olson, Barnes	Mr. Speaker
Haag		

Absent and not voting:

Blair	Graham	Schimke
Collette	Heckman	Schnell
Dalzell	Hogoboom	Thompson, Rich'nd
Drovdal	Klefstad	Wambheim
Fleck	Olson, Bowman	Wollitz

So the bill as amended passed and the title was agreed to.

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services,

Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Was read the second time.

The House entered into debate on Senate Bill No. 115.

The Speaker called Rep. Stormon to the Chair.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 70. A Bill for an Act Relating to the Duration of Authority for Excess Tax Levies in Counties, Cities, Villages or Townships.

House Concurrent Resolution "L." Proposed Amendment to the Constitution of the State of North Dakota, Relative to Provisions of Section 202 of the Constitution of the State of North Dakota, as Amended, Dealing with Issuance or Payment of Bonds.

House Concurrent Resolution "J." Proposed Amendment to the Constitution of the State of North Dakota Regarding the Provisions of Section 202 of the Constitution of the State of North Dakota as Amended, Relating to Creation of Permanent Equalization Fund.

House Joint Resolution No. 2.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 16. State Land Department Authorized to Accept Bid of Returned Veterans on Sale of Original Grant Lands.

Which the Senate has adopted and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 150 and House Bill No. 254 because of an error in transmittal.

W. J. TROUT, Secretary.

Debate continued on Senate Bill No. 115.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 17; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Grenier	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Haugen	Sandness
Anderson	Haugland	Saumur
Bagge	Heckman	Schimke
Baumgartner	Herk	Schlafmann

Belzer	Hildre	Schmalenberger
Bjella	Hofstrand	Schmidt, Logan
Blair	Hogoboom	Schmidt, Morton
Bolmeier	Hovey	Schnell
Boucher	Jennings	Seibel
Brady	Johnson, Richland	Sellens
Bubel	Langley	Severson
Bureau	Larson	Sharpe
Bymers	Leet	Skaar
Collette	Levin	Stair
Dalzell	Lillehaugen	Sticka
Devlin	Lindberg	Still
Dittmer	Luick	Stormon
Drawz	McInnes	Symington
Drovdal	Maher	Thompson, Rich'nd
Ekren	Moerke	Tuff
Esterby	Mollet	Wambheim
Falconer	Monson	Welk
Fitch	Mork	Westby
Fleck	Nystrom	Wolf, McIntosh
Forseth	Ohnstad	Wolf, Morton
Fraser	Oison, Barnes	Yirchott
Gainor	Ostgulen	Mr. Speaker
Graham	Pyle	

Those voting in the negative were:

Arndt	Haag	Mortenson
Callahan	Halvorson	Shockman
Crockett	Isaak	Smart
Engel	Johnson, Cass	Stanley
Frank	Lysne	Thompson, Griggs
Fuglestad	Moe	

Absent and not voting:

Benno	Klefstad	Schwartz
Hegge	Olson, Bowman	Wollitz

So the bill as amended passed and the title was agreed to.

Rep. Saumur moved that the vote by which Senate Bill No. 115 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Speaker resumed the Chair.

Rep. Fitch moved that the House accede to the Senate request that House Bills Nos. 150 and 254 be returned, which motion prevailed.

Rep. Wolf of McIntosh moved that the courtesies of the floor be extended to C. P. Ritter, a former member of the House in 1939, which motion prevailed.

The Speaker welcomed former Rep. Ritter.

Rep. Isaac moved that the House reconsider action taken on Senate Bill No. 189, which motion prevailed.

Rep. Wolf of McIntosh moved that the rules be suspended and Senate Bill No. 189 placed on second reading and final passage, which motion prevailed.

Rep. Wolf of McIntosh moved that Senate Bill No. 189 be made a special order of business for 10:00 o'clock a.m. tomorrow, which motion prevailed.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to inform you that the House has reconsidered action upon Senate Bill No. 146 and has refused to concur in the Senate amendment to Senate Bill No. 146 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Dalzell, Collette and Levin.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

Senate Bill No. 22. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Commissioner of Veterans' Affairs.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 1, 1945

Mr. President: I have the honor to return:

House Bill No. 150. A Bill for an Act Permitting the Bank of North Dakota to Transfer Funds to Other State Departments, to Make Loans and Extend Credit Under Limitations, and Providing Method of Obtaining Additional Funds; Amending and Re-enacting Section 6-0915 of the North Dakota Revised Code of 1943.

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 26-2202, 26-2203, 26-2210, 26-2212, 26-2211, 26-2213, 26-2214, 26-2216, 26-2221, 26-2223, 26-2224, and 26-2254 of the North Dakota Revised Code for 1943 Relating to the Operations of the State Hail Insurance Department; Defining the Duties of the Commissioner of Insurance; the Crops to Be Insured; Effective Date of Policies; Duties of Assessors, Inspectors, Adjusters, County Auditors; and Their Compensation; Indemnity to Be Paid; Effective Time of Insurance; Securities; Penalties for Violation; Special Policies; Repealing Acts in Conflict; and Declaring an Emergency.

Which the Senate has requested.

KENNETH L. MORGAN, Chief Clerk.

## MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

House Bill No. 134. A Bill for an Act Specifying the Term,

Interest and Payment of Farm Loans Made by the Commissioner of University and School Lands; and Amending and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Subsection 3, Section 39-1204 of the Revised Code of North Dakota for 1943, Relating to Length Limitations on Motor Vehicles.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of 1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Declaring an Emergency.

Senate Bill No. 212. A Bill for an Act to Appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring and Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 1, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, Regulating the Sale and Tagging of Deer Hides, and Providing Exceptions.

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nui-

sance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 96 in Stark County, North Dakota, or Other Suitable and Adequate Acreage Selected by the State Board of Higher Education and Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

Which the Senate has amended.

**W. J. TROUT**, Secretary.

Rep. Fitch moved that the House recess until 10:00 o'clock a.m., tomorrow, which motion prevailed.

**KENNETH L. MORGAN**, Chief Clerk.

FIFTY-NINTH DAY AFTER RECESS  
AND SIXTIETH DAY

Bismarck, March 2, 1945

The House reconvened at 10:00 o'clock a. m., pursuant to recess taken, Speaker Bergesen presiding.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 75. A Bill for an Act Prescribing the Method of Investing the Various Funds of the State of North Dakota and the Boards, Bureaus, Institutes and Industries of the State; to Eliminate the Confusion and Competition Between the Various Departments Now Selling and Buying Bonds; Provide Penalty for Violation of this Act, and Repealing all Acts in Conflict Herewith.

Senate Bill No. 98. A Bill for an Act to Fix the Tax Levy Limitations in School Districts.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 57-1524 and Section 57-1525 of the North Dakota Revised Code of 1943 Providing for a County Tax Levy of Two Mills on All Taxable Property in the County, for a County Tuition Fund and Providing for the Apportionment of Said Fund.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Section 57-1605 of the North Dakota Revised Code of 1943, Relating to the Vote Necessary for the Approval of Excess Levies in School Districts; and Declaring an Emergency.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 57-1516 of the North Dakota Revised Code of 1943 Providing for a Tax Levy for Building Fund in School Districts and Providing for an Election to Authorize the Levy



of Said Tax, and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget, and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Section 57-2818 of the North Dakota Revised Code of 1943 Providing for Private Sale of County Tax Deed Property, and Redemption and Distribution of Proceeds.

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 40-2410 of the North Dakota Revised Code of 1943, Authorizing Cities to Assume a Limited General Obligation for the Payment of the Cost of Local Improvements; Providing for the Levy and Collection of General Taxes to Meet Such Limited Obligation; Limiting the Amount of Taxes to Be Levied in any One Year; Creating a Trust Fund; Providing That the Act Operate Prospectively Only; Repealing Paragraph (g) of Subdivision 2 of Section 21-0306; Section 21-0325 and Section 40-2608 of the North Dakota Revised Code of 1943, and All Other Acts in Conflict Therewith.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "BB".

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2, and the President has appointed as a conference committee to act with a like committee from the House, Senators Braun, Young and Bridston.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 3.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 114, Senators Foss, Dahlen and Nordhougen.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on Senate Bill No. 146, Senators Brunsdale, Morgan and O'Brien.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 228, Senators Feton, Wog and Wahlund.

W. J. TROUT, Secretary.

Rep. Schnell moved that a Conference Committee be appointed on Senate Bill No. 2, which motion prevailed.

The Speaker appointed Reps. Luick, Bjella, and Schnell.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Chapter 36-02 of the North Dakota Revised Code of 1943.

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Senate Bill No. 39. A Bill for an Act Making an Appropriation 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 Sections 26-2401 to 26-2421, Inclusive, of the North Dakota Revised Code of 1943, and Declaring an Emergency.

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same on the Capitol Grounds in the City of Bismarck, North Dakota.

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 30 of the Authenticated Edition of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly (House Bill 24) Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

Senate Bill No. 86. A Bill for an Act to Deny to Defeated Candidates for Nomination to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office for Which They Were Defeated and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund of the State, and Declaring an Emergency.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Subdivisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943 Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed and Providing for Refund to Purchaser in the Event of an Adverse Decision.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code

of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Forclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 24-0105 of the North Dakota Revised Code of 1943, Relating to the Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Such Highways.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 86. A Bill for an Act Making an Appropriation of \$900,000.00 to the State Hail Insurance Department from the General Fund to Reimburse the State Hail Insurance Department for Money Diverted to the State Equalization Fund.

House Bill No. 150. A Bill for an Act Permitting the Bank of North Dakota to Transfer Funds to Other State Departments, to Make Loans and Extend Credit Under Limi-

tations, and Providing Method of Obtaining Additional Funds; Amending and Re-enacting Section 6-0915 of the North Dakota Revised Code of 1943.

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 26-2202, 26-2203, 26-2210, 26-2212, 26-2211, 26-2213, 26-2214, 26-2216, 26-2221, 26-2223, 26-2224, and 26-2254 of the North Dakota Revised Code for 1943 Relating to the Operations of the State Hail Insurance Department; Defining the Duties of the Commissioner of Insurance; the Crops to Be Insured; Effective Date of Policies; Duties of Assessors, Inspectors, Adjusters, County Auditors; and Their Compensation; Indemnity to Be Paid; Effective Time of Insurance; Securities; Penalties for Violation; Special Policies; Repealing Acts in Conflict; and Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04 of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township Supervisors in Organized Townships and the Board of County Commissioners in Unorganized Town-

ships, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act State and Federal Highways; Repealing All Laws and Parts of Laws in Conflict Herewith.

Which the Senate has amended.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial; and Declaring an Emergency.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict; and Declaring an Emergency.

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 28-1509 and Section 28-1510 of the North Dakota Revised Code of 1943 (Vol. 3), Relating to Directed Verdicts, and Judgment Notwithstanding Verdict in Civil Actions, in the District Court; and Declaring an Emergency.

House Concurrent Resolution "G". A Concurrent Resolution Providing for the Amendment of Section 170 of the Constitution of the State of North Dakota.

House Concurrent Resolution "X." A Concurrent Resolution Authorizing and Directing the Attorney General to Investigate the Roadhouse Situation.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 of the North Dakota Revised Code of 1943, Pertaining to the Duties of the State Dairy Commissioner and Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the North Dakota Revised Code of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

Was read the second time.

Rep. Wolf of McIntosh demanded a call of the House.

The Sergeant-at-Arms was instructed to close the doors and the roll was called. All members were present except Reps. Olson of Bowman and Johnson of Cass.

Rep. Johnson of Richland moved that the Call of the House be dispensed with, which motion prevailed.

The Speaker called Rep. Levin to the Chair.

The Speaker took the floor against Senate Bill No. 189.

Rep. Fleck moved the previous question, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 64; nays, 44; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Graham	Ostgulen
Anderson	Grenier	Rohrer
Bagge	Haag	Sandness
Baumgartner	Halvorson	Schimke
Belzer	Haugen	Schlafmann
Bjella	Hegge	Schmalenberger
Boucher	Hofstrand	Schmidt, Logan
Bubel	Isaak	Schmidt, Morton
Burau	Jennings	Schnell
Bymers	Langley	Schwartz
Crockett	Larson	Seibel
Devlin	Levin	Severson
Dittmer	Lillehaugen	Shockman
Drovdal	Lindberg	Stanley
Engel	Maher	Sticka
Esterby	Moerke	Thompson, Griggs
Falconer	Mollet	Thompson, Richl'nd
Fitch	Monson	Tuff
Forseth	Mork	Welk
Frank	Mortenson	Wolf, McIntosh
Fraser	Ohnstad	Wolf, Morton
Fuglestad		

Those voting in the negative were:

Allen, Pierce	Heckman	Pyle
Arndt	Herk	Sailer
Benno	Hildre	Sellens
Blair	Hogoboom	Sharpe
Bolmeier	Hovey	Skaar
Brady	Johnson, Cass	Smart
Callahan	Johnson, Richland	Still
Collette	Klefstad	Stormon
Dalzell	Leet	Symington
Drawz	Luick	Wambheim
Ekren	Lysne	Westby
Fleck	McInnes	Wollitz
Gainor	Moe	Yirchott
Halcrow	Nystrom	Mr. Speaker
Haugland	Oison, Barnes	

Absent and not voting:

Allen, Grand Forks	Saumur	Stair
Olson, Bowman		

So the bill was declared lost.

Rep. Crockett moved that the vote by which Senate Bill No. 189 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Speaker resumed the chair.

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 21; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Fleck	Ohnstad
Allen, Grand Forks	Forseth	Olson, Barnes
Allen, Pierce	Gainor	Pyle
Anderson	Graham	Rohrer
Arndt	Haag	Sailer
Bagge	Halcrow	Sandness
Baumgartner	Halvorson	Schimke
Belzer	Haugen	Schlafmann
Benno	Haugland	Schmalenberger
Bjella	Heckman	Schmidt, Logan
Blair	Hegge	Schmidt, Morton
Bolmeier	Herk	Schnell
Boucher	Hildre	Sellens
Brady	Hofstrand	Severson
Bubel	Hogoboom	Sharpe
Burau	Hovey	Skaar
Bymers	Johnson, Cass	Smart
Callahan	Klefstad	Stair
Collette	Langley	Sticka
Dalzell	Larson	Still
Devlin	Leet	Stormon
Dittmer	Levin	Symington
Drawz	Luick	Thompson, Griggs
Drovdal	Lysne	Wambheim
Ekren	Maher	Westby
Engel	McInnes	Wolf, Morton
Esterby	Mork	Yirchott
Falconer	Nystrom	Mr. Speaker
Fitch		

Those voting in the negative were:

Crockett	Moe	Seibel
Frank	Moerke	Shockman
Fraser	Mollet	Thompson, Rich'nd
Grenier	Monson	Tuff
Isaak	Mortenson	Welk
Jennings	Ostgulen	Wolf, McIntosh
Lindberg	Schwartz	Wollitz

Absent and not voting:

Fuglestad	Lillehaugen	Saumur
Johnson, Richland	Olson, Bowman	Stanley

So the bill passed as amended and the title was agreed to.

Rep. Graham moved that the vote by which Senate Bill No. 192 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Was read the second time.

Rep. Johnson of Richland demanded a Call of the House.

The Sergeant-at-Arms was instructed to close the doors and the roll was called.

All members were present except Rep. Olson of Bowman.



Rep. Haugen moved that the Call of the House be dispensed with, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 59; nays, 51; absent and not voting, 2.

Those voting in the affirmative were:

Allen, Grand Forks	Gainor	Pyle
Allen, Pierce	Halerow	Sailer
Arndt	Haugland	Sandness
Bagge	Heckman	Saumur
Benno	Herk	Sellens
Bjella	Hildre	Severson
Blair	Hogoboom	Sharpe
Bolmeier	Hovey	Skaar
Brady	Johnson, Cass	Smart
Bureau	Johnson, Richland	Sticka
Bymers	Klefstad	Still
Callahan	Langley	Stormon
Collette	Leet	Symington
Dalzell	Luick	Thompson, Griggs
Devlin	Lysne	Wambheim
Dittmer	McInnes	Westby
Drawz	Moe	Wollitz
Ekren	Nystrom	Yirchott
Fitch	Ohnstad	Mr. Speaker
Fleck	Olson, Barnes	

Those voting in the negative were:

Acheson	Halvorson	Rohrer
Anderson	Haugen	Schimke
Baumgartner	Hegge	Schlafmann
Belzer	Hofstrand	Schmalenberger
Boucher	Isaak	Schmidt, Logan
Bubel	Jennings	Schmidt, Morton
Crockett	Larson	Schnell
Drovdal	Levin	Schwartz
Engel	Lillehaugen	Seibel
Esterby	Lindberg	Shockman
Falconer	Maher	Stair
Forseth	Møerke	Stanley
Frank	Mollet	Thompson, Rich'nd
Fraser	Monson	Tuff
Graham	Mork	Welk
Grenier	Mortenson	Wolf, McIntosh
Haag	Ostgulen	Wolf, Morton

Absent and not voting:

Fuglestad	Olson, Bowman
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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. 59 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 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 2. A Bill for an Act Making an Appropria-

tion for Administration and Expenses for the Liquor Control Act.

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 46-0501 of the North Dakota Revised Code of 1943 as to Newspapers Qualified to do Legal Printing; File Copies with Historical Society; Publishing Notices in Adjoining County; Resumption of Suspended Publication.

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

House Bill No. 121. A Bill for an Act to Amend and Re-enact Section 15-4011 of the North Dakota Revised Code of 1943, Relating to the Determination of Sums Due School Districts from the State Equalization Fund on Per Pupil Basis, to Amend and Re-enact Section 15-4012, Relating to the Distribution of Payments on a Per Pupil Basis.

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on Teacher-Unit Basis, and Providing for Additional Distribution on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

Which the Senate has amended.

W. J. TROUT, Secretary.

## SECOND READING OF SENATE BILLS

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 58; nays, 49; absent and not voting, 5.

Those voting in the affirmative were:

Allen, Grand Forks	Falconer	Ohnstad
Allen, Pierce	Fitch	Olson, Barnes
Anderson	Gainor	Pyle
Arndt	Graham	Sailer
Bagge	Haag	Sandness
Benno	Halcrow	Saumur
Bjella	Hildre	Sellens
Blair	Hofstrand	Severson
Bolmeier	Hogoboom	Sharpe
Brady	Johnson, Cass	Skaar
Bureau	Johnson, Richland	Smart
Bymers	Klefstad	Stanley
Callahan	Langley	Sticka
Collette	Larson	Still
Dalzell	Leet	Stormon
Devlin	Luick	Symington
Dittmer	Lysne	Thompson, Griggs
Drawz	McInnes	Westby

Drovdal	Nystrom	Mr. Speaker
Ekren		
Those voting in the negative were:		
Acheson	Herk	Schlafmann
Baumgartner	Hovey	Schmalenberger
Belzer	Isaak	Schmidt, Logan
Boucher	Jennings	Schmidt, Morton
Bubel	Levin	Schnell
Crockett	Lindberg	Schwartz
Engel	Maher	Seibel
Esterby	Moe	Shockman
Forseth	Moerke	Stair
Frank	Mollet	Thompson, Richl'nd
Fraser	Monson	Tuff
Grenier	Mork	Wambheim
Halvorson	Mortenson	Welk
Haugen	Ostgulen	Wolf, McIntosh
Haugland	Rohrer	Wolf, Morton
Heckman	Schimke	Wollitz
Hegge		
Absent and not voting:		
Fleck	Lillehaugen	Yirchott
Fuglestad	Olson, Bowman	

So the bill passed and the title was agreed to.

Rep. Johnson of Richland moved that the vote by which Senate Bill No. 129 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Richland moved that Senate Bill No. 105 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 105. A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact Insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto, and Providing Such Associations of Individuals Shall Comply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

Was read the 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, 26; absent and not voting, 8.

Those voting in the affirmative were:

Allen, Grand Forks	Haugland	Sailer
Allen, Pierce	Heckman	Sandness
Anderson	Hegge	Saumur
Arndt	Herk	Schimke
Bagge	Hildre	Schlafmann
Belzer	Hofstrand	Schmalenberger
Benno	Hogoboom	Schmidt, Logan
Bjella	Hovey	Schmidt, Morton
Blair	Johnson, Richland	Schnell
Bolmeier	Klefstad	Schwartz
Brady	Langley	Sellens
Bubel	Larson	Shockman
Burau	Leet	Skaar
Collette	Levin	Sharpe

Crockett	Lindberg	Sticka
Dalzell	Luick	Still
Drawz	Lysne	Stormon
Drovdal	McInnes	Symington
Ekren	Maher	Thompson, Griggs
Falconer	Moerke	Wambheim
Fuglestad	Mollet	Welk
Gainor	Monson	Westby
Graham	Mortenson	Wolf, McIntosh
Haag	Ohnstad	Wolf, Morton
Halcrow	Ostgulen	Wollitz
Haugen	Rohrer	Mr. Speaker
Those voting in the negative were:		
Acheson	Frank	Pyle
Baumgartner	Fraser	Seibel
Boucher	Grenier	Severson
Callahan	Isaak	Stair
Dittmer	Jennings	Stanley
Engel	Johnson, Cass	Thompson, Richl'nd
Esterby	Moe	Tuff
Fitch	Nystrom	Yirchott
Forseth	Olson, Barnes	
Absent and not voting:		
Bymers	Halvorson	Olson, Bowman
Devlin	Lillehaugen	Smart
Fleck	Mork	

So the bill passed as amended and the title was agreed to.

Rep. Crockett moved that the vote by which Senate Bill No. 105 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Richland moved that Senate Bill No. 208 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 26; absent and not voting, 9.

Those voting in the affirmative were:		
Allen, Grand Forks	Haugen	Sailer
Allen, Pierce	Haugland	Sandness
Arndt	Heckman	Samura
Bagge	Hegge	Schlafmann
Benno	Herk	Schmalenberger
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Sellens
Brady	Hovey	Severson
Bureau	Jennings	Sharpe
Callahan	Johnson, Cass	Skaar
Collette	Johnson, Richland	Smart
Dalzell	Klefstad	Stanley
Dittmer	Langley	Sticka
Drawz	Leet	Still
Ekren	Levin	Stormon

Engel	Luick	Symington
Esterby	Lysne	Thompson, Griggs
Falconer	McInnes	Wambheim
Fitch	Moe	Westby
Fleck	Mork	Wolf, McIntosh
Forseth	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wollitz
Gainor	Olson, Barnes	Yirchott
Graham	Pyle	Mr. Speaker
Halcrow	Rohrer	
Those voting in the negative were:		
Acheson	Haag	Schimke
Anderson	Isaak	Schmidt, Logan
Baumgartner	Larson	Schwartz
Boucher	Lindberg	Seibel
Crockett	Maher	Shockman
Drovdal	Moerke	Thompson, Richl'nd
Frank	Mollet	Tuff
Fraser	Ohnstad	Welk
Grenier	Ostgulen	
Absent and not voting:		
Belzer	Devlin	Monson
Bubel	Halvorson	Olson, Bowman
Bymers	Lillehaugen	Stair

So the bill passed as amended and the title was agreed to.

Rep. Halcrow moved that the vote by which Senate Bill No. 208 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fitch moved that Senate Bill No. 173 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 2; absent and not voting, 11.

Those voting in the affirmative were:		
Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Haugen	Sailer
Anderson	Haugland	Sandness
Arndt	Heckman	Saumur

Bagge	Hegge	Schimke
Baumgartner	Herk	Schlafmann
Benno	Hildre	Schmalenberger
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell
Boucher	Hovey	Schwartz
Brady	Isaak	Seibel
Bubel	Jennings	Sellens
Burau	Johnson, Cass	Severson
Callahan	Johnson, Richland	Sharpe
Collette	Klefstad	Shockman
Crockett	Langley	Skaar
Dalzell	Larson	Smart
Dittmer	Leet	Stanley
Drawz	Levin	Sticka
Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Engel	Lysne	Symington
Esterby	McInnes	Thompson, Griggs
Falconer	Maher	Thompson, Richl'nd
Fitch	Moerke	Wambheim
Fleck	Mollet	Welk
Frank	Mork	Westby
Fraser	Mortenson	Wolf, Morton
Fuglestad	Nystrom	Wolf, McIntosh
Gainor	Ohnstad	Wollitz
Graham	Olson, Barnes	Yirchott
Grenier	Ostgulen	Mr. Speaker

Those voting in the negative were:

Schmidt, Logan      Tuff

Absent and not voting:

Belzer	Forseth	Monson
Bolmeier	Halvorson	Olson, Bowman
Bymers	Lillehaugen	Stair
Devlin	Moe	

So the bill passed, as amended, and the title was agreed to, and the emergency clause was declared carried.

Rep. Hovey moved that the vote by which Senate Bill No. 173 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Haugen moved that Senate Bill No. 194 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 81; nays, 21; absent and not voting, 10.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Haugen	Rohrer
Anderson	Haugland	Sailer
Arndt	Heckman	Saumur
Baumgartner	Hegge	Schimke
Benno	Herk	Schlafmann
Bjella	Hildre	Schmalenberger
Blair	Hofstrand	Schmidt, Logan
Bolmeier	Hogoboom	Schmidt, Morton
Bureau	Hovey	Schnell
Bymers	Jennings	Schwartz
Callahan	Johnson, Richland	Seibel
Collette	Klefstad	Severson
Crockett	Langley	Skaar
Dalzell	Larson	Smart
Dittmer	Leet	Stanley
Drawz	Levin	Sticka
Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Engel	Lysne	Symington
Falconer	Maher	Tuff
Fitch	Moerke	Welk
Fleck	Mollet	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Gainor	Mortenson	Wollitz
Graham	Ohnstad	Mr. Speaker

Those voting in the negative were:

Bagge	Grenier	Sharpe
Boucher	Isaak	Shockman
Brady	Johnson, Cass	Thompson, Griggs
Esterby	McInnes	Thompson, Rich'nd
Forseth	Nystrom	Wambheim
Fraser	Olson, Barnes	Westby
Fuglestad	Sellens	Yirchott

Absent and not voting:

Belzer	Lillehaugen	Olson, Bowman
Bubel	Moe	Sandness
Devlin	Monson	Stair
Halvorson		

So the bill passed, as amended, and the title was agreed to, and the emergency clause was declared carried.

Rep. Welk moved that the vote by which Senate Bill No. 194 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Acheson	Haag	Sandness
Allen, Grand Forks	Halcrow	Saumur
Allen, Pierce	Haugen	Schimke
Arndt	Haugland	Schnell
Bagge	Heckman	Schlafmann
Baumgartner	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schwartz
Bolmeier	Hogoboom	Seibel
Boucher	Hovey	Sellens
Brady	Isaak	Severson
Bubel	Jennings	Sharpe
Bureau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Larson	Stair
Crockett	Leet	Stanley
Dittmer	Levin	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Moerke	Thompson, Rich'nd
Falconer	Mollet	Tuff
Fitch	Monson	Wambheim
Fleck	Mork	Welk
Forseth	Mortenson	Westby
Frank	Nystrom	Wolf, McIntosh
Fraser	Ohnstad	Wolf, Morton
Fuglestad	Ostgulen	Wollitz
Gainor	Pyle	Yirchott
Graham	Rohrer	Mr. Speaker
Grenier	Sailer	

Absent and not voting:

Anderson	Halvorson	Moe
Belzer	Johnson, Cass	Olson, Barnes
Dalzell	Lillehaugen	Olson, Bowman
Devlin	Maher	

So the bill passed as amended and the title was agreed to.

Rep. Bolmeier moved that the vote by which Senate Bill No. 69 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bolmeier moved that the House recess until 1:30 o'clock p. m., which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the



North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives

Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Senate Bill No. 105. A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact Insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto, and Providing Such Associations of Individuals Shall Com-

ply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 147. A Bill for an Act Prohibiting Sale or Delivery of Beer, Alcohol and Alcoholic Beverages to Certain Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section

54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

Which the Senate has amended.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 15-4014 of the North Dakota Revised Code of 1943, Relating to the Amount of High School Tuition, the Amount of Payments, and the Tuition of Students Attending School in a Foreign School.

House Bill No. 239. A Bill for an Act to Provide Immunity from Liability, in the Absence of Negligent Construction or Operation, for Inductive Interference Caused in Communication Circuits by Electric Facilities; to Repeal All Acts and Parts of Acts in Conflict Herewith; and to Declare an Emergency.

House Concurrent Resolution "N." A Concurrent Resolution Memorializing the Congress of the United States to Propose an Amendment to the Constitution of the United States of America Limiting the Term of Office of a President of the United States to Not More Than Two Consecutive Terms.

House Concurrent Resolution "O." A Concurrent Resolution Memorializing the Congress of the United States to Enact Legislation Placing the Entire Nation Upon Greenwich Time.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 21, Senators Rue, Murry and Raschko.

W. J. TROUT, Secretary.

#### FIRST READING OF RESOLUTIONS

Reps. Bymers, Callahan, Bagge, Ohnstad and Johnson of Cass introduced:

House Concurrent Resolution "EE."

Was read the first time.

Rep. Johnson of Richland moved that House Concurrent Resolution "EE" be adopted.

## SECOND READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "EE."

Was read the second time.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 74; nays, 35; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Gainor	Pyle
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Halvorson	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schlafmann
Benno	Hegge	Schmidt, Morton
Bjella	Herk	Schnell
Blair	Hildre	Sellens
Bolmeier	Hofstrand	Severson
Brady	Hogoboom	Sharpe
Bubel	Hovey	Skaar
Bureau	Johnson, Cass	Smart
Bymers	Johnson, Richland	Stair
Callahan	Larson	Stanley
Collette	Klefstad	Sticka
Crockett	Langley	Still
Dalzell	Leet	Stormon
Devlin	Luick	Symington
Dittmer	Lysne	Thompson, Griggs
Drawz	McInnes	Wambheim
Esterby	Moe	Westby
Fitch	Monson	Wollitz
Fleck	Nystrom	Yirchott
Forseth	Ohnstad	Mr. Speaker
Fuglestad	Olson, Barnes	

Those voting in the negative were:

Anderson	Haugen	Schimke
Baumgartner	Isaak	Schmalenberger
Belzer	Jennings	Schmidt, Logan
Boucher	Levin	Schwartz
Drovdal	Lillehaugen	Seibel
Engel	Lindberg	Shockman
Falconer	Moerke	Thompson, Rich'nd
Frank	Mollet	Tuff
Fraser	Mork	Welk
Graham	Mortenson	Wolf, McIntosh
Grenier	Ostgulen	Wolf, Morton
Haag	Rohrer	

Absent and not voting:

Ekren	Maher	Olson, Bowman
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So the resolution was adopted.

Rep. Yirchott moved that the vote by which House Concurrent Resolution "EE" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Westby moved that House Concurrent Resolution "EE" be printed in the Journal of the House, which motion prevailed.

## HOUSE CONCURRENT RESOLUTION NO. "EE"

Introduced by Reps. Bymers, Callahan, Bagge, Ohnstad  
and Johnson of Cass

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-  
TIVES OF THE STATE OF NORTH DAKOTA, THE  
SENATE CONCURRING THEREIN:

1 That at the completion of the business of the  
2 Twenty-ninth Legislative Assembly, the House  
2a of Representatives  
3 shall adjourn until the day the Senate reconvenes  
4 at the hour of 2 o'clock p. m., and that from  
5 and after the said day, the House of Representatives,  
6 with the consent of the Senate, shall stand adjourned  
7 from day to day, subject to the call of the Speaker,  
8 upon the request of the managers of the prosecution of  
9 the impeachment trial of Oscar E. Erickson,  
10 Commissioner of Insurance of the State of North Dakota.  
11 BE IT FURTHER RESOLVED, That the members  
12 of the House of Representatives, with the exception  
12a of said  
13 managers, shall receive mileage, per diem and five  
14 dollars (\$5.00) a day expenses only in the event that  
15 they are so required by the Speaker to return to the  
16 State Capitol, and shall then receive per diem only for  
17 such time as they may be in attendance upon the call  
18 of the Speaker, at the City of Bismarck.  
19 BE IT FURTHER RESOLVED, That the said  
19a managers of the  
20 prosecution of said impeachment trial shall receive  
21 mileage for travel necessary in performance of duties,  
22 per diem and five dollars (\$5.00) a day expenses for  
23 the time spent by them in connection with the  
24 prosecution of said impeachment trial.

The Report of Board of Managers in the Matter of the  
Impeachment of Oscar E. Erickson, Commissioner of Insur-  
ance of the State of North Dakota.

Was read the first time.

REPORT OF BOARD OF MANAGERS IN THE MATTER  
OF THE IMPEACHMENT OF OSCAR E. ERICKSON,  
COMMISSIONER OF INSURANCE OF THE STATE OF  
NORTH DAKOTA.

Mr. Speaker: The Board of Managers selected by the House  
of Representatives for the purpose of conducting impeach-  
ment proceedings against Oscar E. Erickson, Commissioner  
of Insurance of the State of North Dakota, submits herewith  
Articles of Impeachment in said matter for the approval of  
the House of Representatives.

A. C. JOHNSON  
EDWIN L. BAGGE  
CORNELIUS BYMERS  
L. E. CALLAHAN  
MANFRED R. OHNSTAD  
Board of Managers

ARTICLES OF IMPEACHMENT AGAINST OSCAR E. ERICKSON, COMMISSIONER OF INSURANCE OF THE STATE OF NORTH DAKOTA.

THE STATE OF NORTH DAKOTA TO OSCAR E. ERICKSON, GREETINGS:

Comes now the House of Representatives of the State of North Dakota, and in the name and by the authority of the State and all the people thereof, hereby present to the State of North Dakota, the following Articles of Impeachment against the Honorable Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota.

ARTICLES OF IMPEACHMENT.

Articles exhibited by the House of Representatives of the Twenty-ninth Legislative Assembly of the State of North Dakota in its name and in the name of all the people of the State of North Dakota, against Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota, in maintenance and support of its impeachment against him for crimes, corrupt conduct and malfeasance and misdemeanors in office.

CHARGE I.

That the said Oscar E. Erickson is now and has been continuously since on or about the 1st day of January, 1937, the duly elected, qualified and acting Commissioner of Insurance of the State of North Dakota; that the said Oscar E. Erickson has, during his incumbency of the office of Commissioner of Insurance of the State of North Dakota, been guilty of crimes, corrupt conduct and malfeasance and misdemeanors in office, in the following particulars:

Specification 1. That between the 17th day of May, 1943, and December 30th, 1943, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, being then and there an officer charged with the collection, safe-keeping and disbursement of certain public moneys, to-wit: the moneys of the Hail Insurance Department of the State of North Dakota, did, wilfully, unlawfully and knowingly, advise, aid and participate in the appropriation and conversion to the use of R. N. Crawford & Co., Inc., a corporation, for the use and benefit of the said R. N. Crawford & Co., Inc., Lloyds of London, an insurance association, and other persons unknown, the sum of \$124,992.23 of said public moneys, such moneys being then and there the moneys of the Hail Insurance Department of the State of North Dakota. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

Specification 2. That on or about the 17th day of May, 1943, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, being then and there an officer charged with the collection, safe-keeping and disbursement of certain public moneys, to-wit, the moneys of the Hail Insurance Department of the State of North Dakota, did wilfully, unlawfully and knowingly advise, aid and participate in the appropriation and conversion to the use of R. N. Crawford & Co., Inc., a corporation, for the use and benefit of the said

R. N. Crawford & Co., Inc., and other persons unknown, the sum of \$8500.00 of said public moneys, such moneys being then and there the moneys of the Hail Insurance Department of the State of North Dakota. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

#### CHARGE II.

That the said Oscar E. Erickson, has, during his incumbency of the office of Commissioner of Insurance of the State of North Dakota, been guilty of crimes, corrupt conduct and malfeasance and misdemeanors in office, in the following particulars, to-wit:

Specification 1. That between the 4th day of June, 1940, and the 7th day of June, 1940, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, wilfully and unlawfully participate in, and aid and abet in the negotiation for and the making of a group of re-insurance contracts in behalf of the State Fire and Tornado Fund, with the Pennsylvania Fire Insurance Company of New York and the Commonwealth Insurance Company of New York, through one H. F. Morris, State Agent for said insurance companies, the Murphy Insurance Agency and one H. T. Murphy, with the corrupt and fraudulent intent then and there had in the said Oscar E. Erickson, to become voluntarily and individually interested in the profits of such re-insurance contracts; that in furtherance of such corrupt and fraudulent purpose, said re-insurance contracts were made and entered into, at a premium cost of \$10,081.73, of which amount, the sum of \$2520.44, representing commissions on said re-insurance transactions, was received by the said Murphy Insurance Agency, and that \$2500.00 thereof, was, between June 5th, 1940, and June 10th, 1940, paid by the said Murphy Insurance Agency to the said H. T. Murphy, and by him paid to one O. R. Vold for the joint use and benefit of the said Oscar E. Erickson and O. R. Vold; that said moneys were then and there, with the knowledge and consent of the said Oscar E. Erickson, used by the said O. R. Vold to purchase the New Capitol Cafe, a private business enterprise located in Bismarek, North Dakota, for the joint use and ownership of the said Oscar E. Erickson and O. R. Vold; and that the said Oscar E. Erickson did then and there wilfully, unlawfully, knowingly and corruptly accept, receive and retain an interest or share in the said New Capitol Cafe, equal to one-half interest therein, together with profits accruing thereon. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

Specification 2. That between June 10th, 1940, and October 31st, 1942, and at divers times between said dates, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, wilfully and unlawfully participate in and aid and abet in the negotiation for and the making of a group of reinsurance contracts in behalf of the State Fire and Tornado Fund, with various in-

insurance companies, including the Saint Paul Fire & Marine Insurance Company, Hartford Insurance Company, Aetna Insurance Company, The Liverpool, London and Globe Insurance Company, and other insurance companies, which re-insurance contracts were negotiated through, or for the account of the Murphy Insurance Agency, Inc., of Bismarck, North Dakota, or H. T. Murphy, its Manager, and other employees thereof, with the corrupt and fraudulent intent then and there had in the said Oscar E. Erickson, to become voluntarily and individually interested in the profits of such re-insurance contracts; that in furtherance of such corrupt and fraudulent purpose, such re-insurance contracts were made at a premium cost of approximately \$13,200.00, of which amount, the sum of approximately \$3300.00, representing commissions on said re-insurance transactions, was received from time to time, and in varying amounts, by the said H. T. Murphy, and that said amounts were by him paid to the said Oscar E. Erickson and O. R. Vold, for investment in the said New Capitol Cafe, for the mutual benefit and use of the said Oscar E. Erickson and O. R. Vold, as joint owners thereof; that the said Oscar E. Erickson did, knowingly, unlawfully and corruptly accept, receive and retain a share of the value of such investments so made in the New Capitol Cafe, together with the profits accruing thereon. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

Specification 3. That during the months of July and August, 1941, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, wilfully and unlawfully participate in, and aid and abet in the negotiation for and in the making of a group of re-insurance contracts with the Saint Paul Fire and Marine Insurance Company and The Mercury Insurance Company, both of St. Paul, Minnesota, in behalf of the State Fire and Tornado Fund, which re-insurance contracts were negotiated through, or for the account of the Murphy Insurance Agency of Bismarck, North Dakota, or H. T. Murphy, with the corrupt and fraudulent intent then and there had in the said Oscar E. Erickson, to become voluntarily and individually interested in the profits of such re-insurance contracts; that in furtherance of said corrupt and fraudulent purpose, said re-insurance contracts were made and completed at a premium cost of \$34,033.52, of which amount, the sum of \$2500.00, representing a portion of commissions of such re-insurance transactions, was paid to and received by the said H. T. Murphy, who paid the whole thereof to the said Oscar E. Erickson; and that the said Oscar E. Erickson did then and there wilfully, unlawfully and corruptly accept, receive and retain the said sum of \$2500.00 for his individual benefit; that on or about August 2nd, 1941, the said H. T. Murphy paid to the said Oscar E. Erickson the sum of \$1000.00, as an advance upon additional commissions due from said insurance companies on said re-insurance transactions; and that the said Oscar E. Erickson did then and there wilfully, unlawfully and corruptly accept, receive and retain said sum of \$1000.00 for his individual benefit. This contrary to the official duty of the said Oscar E. Erickson, as



Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

Specification 4. That during the months of July and August, 1941, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, wilfully and unlawfully participate in, and aid and abet in the negotiation for and the making of a group of re-insurance contracts with the Saint Paul Fire and Marine Insurance Company and The Mercury Insurance Company, both of St. Paul, Minnesota, being the same contracts described in Specification 3 hereof, on behalf of the State Fire and Tornado Fund, which re-insurance contracts were negotiated through, or for the account of the Murphy Insurance Agency of Bismarck, North Dakota, or H. T. Murphy, with the corrupt and fraudulent intent then and there had in the said Oscar E. Erickson to become voluntarily and individually interested in the profits of such re-insurance contracts; that in furtherance of said corrupt and fraudulent purpose, such re-insurance contracts were made and completed at a premium cost of \$34,033.52, of which amount, the sum of \$2500.00, representing a portion of the commissions on such re-insurance transactions, was paid to and received by the said H. T. Murphy; that between August 24th and October 22nd, 1941, one W. R. Koch, an employee of the said Murphy Insurance Agency, paid to the said Oscar E. Erickson the sum of \$1500.00 as an advance on additional commissions due from said insurance companies on said re-insurance transactions; that the said Oscar E. Erickson did then and there wilfully, unlawfully and corruptly accept, receive and retain the sum of \$1500.00 for his individual benefit; that on or about October 22nd, 1941, \$3500.00 of said commissions was received by the said W. R. Koch from said insurance companies, who thereupon paid \$2000.00 thereof to the said Oscar E. Erickson, and the said Oscar E. Erickson did then and there wilfully, unlawfully and corruptly accept, receive and retain said sum of \$2000.00 for his individual benefit. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

Specification 5. That between July 14th, 1939, and October 18th, 1940, and at divers times between said dates, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, wilfully and unlawfully participate in, and aid and abet in the negotiation for and making of a group of re-insurance contracts on behalf of the State Fire and Tornado Fund, with various insurance companies, including the Saint Paul Fire and Marine Insurance Company, Hartford Insurance Company, Aetna Insurance Company, The Liverpool, London and Globe Insurance Company, and other insurance companies; that said re-insurance contracts were negotiated through, or for the account of the Murphy Insurance Agency of Bismarck, North Dakota, or H. T. Murphy, its Manager, and other employees thereof, with the corrupt and fraudulent intent then and there had in the said Oscar E. Erickson to become volun-

tarly and individually interested in the profits of such re-insurance contracts; that in furtherance of such corrupt and fraudulent purpose, such re-insurance contracts were made at a premium cost of approximately \$15,000.00, of which amount, the sum of approximately \$3800.00 representing commissions on said re-insurance transactions, was received from time to time, and in varying amounts, by the said H. T. Murphy, or other employees of the Murphy Insurance Agency, and by him or them paid to the said Oscar E. Eickson and O. R. Vold, for the sole use and benefit of the said Oscar E. Erickson; that the said Oscar E. Erickson did, knowingly, unlawfully and corruptly accept, receive and retain said moneys for his individual benefit. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

### CHARGE III.

That the said Oscar E. Erickson, has, during his incumbency of the office of Commissioner of Insurance of the State of North Dakota, been guilty of crimes, corrupt conduct and malfeasance and misdemeanors in office, the following particulars, to-wit:

Specification 1. That between May 1st, 1937, and December 31st, 1938, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did enter into a corrupt, collusive and fraudulent agreement and plan with one O. R. Vold and one L. M. Peet, and other unknown persons, being officers and agents of the Western Fire Insurance Company of Fort Scott, Kansas, Western Casualty and Surety Company of Fort Scott, Kansas, and The Kansas City Insurance Agency of Kansas City, Missouri, whereby it was understood and agreed that in consideration of the negotiation of certain re-insurance contracts with the said insurance companies on behalf of the State Fire and Tornado Fund and The State Bonding Fund, all commissions on such insurance and re-insurance contracts were to be paid to the said Kansas City Insurance Agency of Kansas City, Missouri, and by it paid to the said L. M. Peet, to be by him used for the purchase of a controlling interest in the Farmers Union Life Insurance Company of Des Moines, Iowa, for the joint benefit of the said Oscar E. Erickson and the said L. M. Peet, and for the benefit of the said O. R. Vold; that in furtherance of such corrupt, collusive and fraudulent purpose and plan, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, wilfully and unlawfully participate in, and aid and abet in the negotiation for and the making of the following insurance and re-insurance contracts, to-wit: (1) That between August 1st, 1937, and July 30th, 1942, and at divers times between such dates, the said Oscar E. Erickson, did participate in, and aid and abet in the negotiation for and the making of a group of re-insurance contracts on behalf of the State Fire and Tornado Fund with the Western Fire Insurance Company of Fort Scott, Kansas, at a total premium cost of \$64,015.91, of which amount, the sum of \$22,405.56, representing so-called commissions thereon, was paid to the said Kansas City Insurance Agency of Kansas City, Missouri; that said commissions in the amount of \$22,405.56 were distributed by the said

Kansas City Insurance Agency, from time to time, as received by it, to the said L. M. Peet, and that said moneys were, with the knowledge and consent of the said Oscar E. Erickson, used by the said L. M. Peet to purchase stock in the Farmers Union Life Insurance Company of Des Moines, Iowa, for the joint benefit of himself and the said Oscar E. Erickson; (2) that between May 1st, 1937, and May 15th, 1943, and at divers times between said dates, the said Oscar E. Erickson did participate in, and aid and abet in the negotiation for and the making of a group of re-insurance contracts on behalf of the State Bonding Fund, with the said Western Casualty and Surety Company of Fort Scott, Kansas, at a total premium cost of \$50,909.60, of which amount, the sum of \$11,705.53, representing so-called commissions thereon, was paid to the said Kansas City Insurance Agency; that said so-called commissions, in the amount of \$11,705.53 were distributed by the said Kansas City Insurance Agency, as received by it, to the said L. M. Peet, and that said moneys were, with the knowledge and consent of the said Oscar E. Erickson, used by the said L. M. Peet to purchase stock in the said Farmers Union Life Insurance Company of Des Moines, Iowa, for the joint benefit of himself and the said Oscar E. Erickson; that the said Oscar E. Erickson, did, wilfully, unlawfully, knowingly and corruptly accept, receive and retain an interest in the stock of the said Farmers Union Life Insurance Company of Des Moines, Iowa, so purchased in his behalf by the said L. M. Peet. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

Specification 2. That between December 1st, 1940, and December 31st, 1940, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, wilfully and unlawfully participate in, and aid and abet in the negotiation for and making of a group of re-insurance contracts on behalf of the State Fire and Tornado Fund, with the Western Fire Insurance Company of Fort Scott, Kansas, with the corrupt and fraudulent intent then and there in the said Oscar E. Erickson to become voluntarily and individually interested in the profits of such re-insurance contracts; that in furtherance of said corrupt and fraudulent purpose, said re-insurance contracts were made at a total premium cost of \$2871.91, of which amount, the sum of \$1005.17, representing commissions on said re-insurance transactions, was paid by the said Western Fire Insurance Company of Fort Scott, Kansas, to the Kansas City Insurance Agency of Kansas City, Missouri, and that said commissions were, by it, paid to one L. M. Peet, for the use and benefit of the said Oscar E. Erickson; that said moneys were, with the knowledge and consent of the said Oscar E. Erickson, used by the said L. M. Peet to pay an installment due the Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin, upon a certain contract involving the sale to the said Oscar E. Erickson of a certain tract of land, known as the Erickson farm, located in Chipewewa County, Wisconsin; that the said Oscar E. Erickson, did, then and there wilfully, unlawfully and corruptly accept, receive and retain the benefits of said payments so made

for his account upon said farm purchase contract. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

#### CHARGE IV.

That the said Oscar E. Erickson, has, during his incumbency of the office of Commissioner of Insurance of the State of North Dakota, been guilty of crimes, corrupt conduct and malfeasance and misdemeanors in office, in the following particulars, to-wit:

Specification 1. That during the months of June, July and August, 1939, the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, did, in his official capacity, and in cooperation with one O. R. Vold, wilfully and unlawfully participate in, and aid and abet in the negotiation for and making of a group of re-insurance contracts on behalf of the State Fire and Tornado Fund, with the Providence Washington Insurance Company and the London & Lancashire Insurance Company, through one J. C. Blaisdell, Sr., an insurance agent at Minot, North Dakota, with the corrupt and fraudulent intent then and there had in the said Oscar E. Erickson to become voluntarily and individually interested in the profits of such re-insurance contracts; that in furtherance of said corrupt and fraudulent purpose, said re-insurance contracts were made at a total premium cost of \$7262.96, of which amount, the sum of \$1815.75, representing commissions on said re-insurance contracts, was received by the said J. C. Blaisdell, Sr., and that the sum of approximately \$1200.00 was by him paid to the Blaisdell Motor Company of Minot, North Dakota, with the knowledge and consent of the said Oscar E. Erickson, as and for a part of the purchase price of two certain automobiles, to-wit: a Chrysler Sedan and a Plymouth Sedan, then and there purchased from the said Blaisdell Motor Company by the said Oscar E. Erickson and O. R. Vold, respectively; and that said Oscar E. Erickson did then and there wilfully, unlawfully and corruptly accept, receive and retain the benefits of the said payments so made for his account on said automobile purchases. This contrary to the official duty of the said Oscar E. Erickson, as Commissioner of Insurance of the State of North Dakota, contrary to the statutes in such cases made and provided, and against the peace and dignity of the State of North Dakota.

The House of Representatives, reserving to itself the right of amending and correcting these Articles of Impeachment, and of submitting proof in support of the same, and to all and every article and specification therein contained, do hereby demand that the said Oscar E. Erickson be required to answer the charges of crimes, corrupt conduct and malfeasance and misdemeanors in office herein charged against him, and that such proceedings and trials be had and such judgments rendered as may be agreeable to law and justice.

The foregoing Articles of Impeachment were approved and

adopted by the House of Representatives of North Dakota this \_\_\_\_\_ day of March, 1945.

ATTEST:

\_\_\_\_\_  
Chief Clerk, House of  
Representatives.

\_\_\_\_\_  
Speaker of the House of  
Representatives.

Rep. Johnson of Cass moved that the Articles of Impeachment be printed in the Journal, which motion prevailed.

Rep. Fitch moved the Articles of Impeachment be mimeographed as soon as possible, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:  
House Concurrent Resolution "EE".

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

Rep. Bubel moved that House Bill No. 222 be returned to the Senate with the request that the Senate amend the title of the bill to include the following: "Repeal Section 39-0433 of the North Dakota Revised Code of 1943," which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return House Bill No. 222 which the House requests you to amend as follows:

In the title of the bill insert the repeal clause with reference to Section 39-0433 of the North Dakota Revised Code of 1943.

KENNETH L. MORGAN, Chief Clerk.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 5.  
House Bill No. 16.  
House Bill No. 18.  
House Bill No. 19.  
House Bill No. 24.  
House Bill No. 25.  
House Bill No. 32.  
House Bill No. 49.  
House Bill No. 71.  
House Bill No. 194.  
House Bill No. 213.  
House Bill No. 247.  
House Bill No. 8.  
House Bill No. 13.

House Bill No. 55.  
 House Bill No. 119.  
 House Bill No. 145.  
 House Bill No. 158.  
 House Bill No. 162.

And find the same correctly Enrolled.

REP. LEET, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: The minority of your Committee on Insurance, to whom was referred Senate Bill No. 52, have had the same under consideration and recommend that the same do pass.

REP. ALLEN, Grand Forks  
 REP. SAILER  
 REP. BAGGE  
 REP. LEET  
 REP. MOLLET  
 REP. MOERKE  
 REP. MORTENSON

REP. ALLEN of Grand Forks, Chairman.

Mr. Speaker: The majority of your Committee on Insurance, to whom was referred Senate Bill No. 52, have had the same under consideration and recommend that the same be amended as follows:

In line 14 strike out the words "one dollar" and insert the words "three dollars".

REP. FITCH  
 REP. CROCKETT  
 REP. SEIBEL  
 REP. MOE  
 REP. BLAIR  
 REP. COLLETTE  
 REP. SCHIMKE  
 REP. SHARPE  
 REP. WOLF

And when so amended recommend the same do pass.

Rep. Fitch moved that the report of the majority be adopted.

Rep. Mollet offered as a substitute motion that the report of the minority be substituted for that of the majority.

Rep. Engel moved the previous question, which motion prevailed.

The question was on the motion of Rep. Mollet, which motion prevailed and Senate Bill No. 52 was placed on the Calendar.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred Senate Bill No. 92, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. FITCH, Chairman.

Rep. Hogoboom moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the vote by which Senate Bill No. 92 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 Senate Bill No. 53, have had the same under consideration and recommend that the same do pass.

REP. ALLEN of Grand Forks, Chairman.

Rep. Mollet moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 21.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 213. A Bill for an Act to Provide for the Taking of Depositions of Witnesses in Impeachment Proceedings; to Compel the Attendance of Witnesses and the Production of Records Before the Officer Before Whom Such Depositions May Be Taken; to Fix Penalties for Refusal; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 114.

W. J. TROUT, Secretary.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 203.

In the title of the bill, after the word "County" in line 5, insert the words "North Dakota or other suitable and adequate acreage selected by the State Board of Higher Education and".

In Section 1, line 4, after the word "County" insert the

words "North Dakota or other suitable and adequate acreage selected by the State Board of Higher Education".

In Section 5, on line 44, after the word "County" insert the words "North Dakota or other suitable and adequate acreage selected by the State Board of Higher Education".

Renumber the lines accordingly.

Rep. Schnell moved that the House concur in the Senate amendments to House Bill No. 203, which motion prevailed.

Rep. Schnell moved that the rules be suspended and House Bill No. 203 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 96 in Stark County, North Dakota, or Other Suitable and Adequate Acreage Selected by the State Board of Higher Education and Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 3; absent and not voting, 10.

Those voting in the affirmative were:

Acheson	Halcrow	Ostgulen
Allen, Grand Forks	Halvorson	Pyle
Allen, Pierce	Haugen	Rohrer
Anderson	Haugland	Sailer
Arndt	Heckman	Sandness
Bagge	Hegge	Schimke
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schnell
Btair	Hovey	Schwartz
Bolmeier	Isaak	Seibel
Boucher	Jennings	Sellens
Brady	Johnson, Cass	Severson
Burau	Johnson, Richland	Sharpe
Bymers	Langley	Shockman
Callahan	Larson	Skaar
Collette	Leet	Stair
Dalzell	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Lysne	Stormon
Ekren	Luick	Symington
Esterby	McInnes	Thompson, Griggs
Falconer	Maher	Thompson, Rich'nd
Fitch	Moerke	Tuff
Fleck	Mollet	Wambheim
Forseth	Monson	Welk
Fuglestad	Mork	Wolf, McIntosh
Gainor	Mortenson	Wolf, Morton



Graham	Nystrom	Wollitz
Grenier	Ohnstad	Yirchott
Haag	Olson, Barnes	Mr. Speaker
Those voting in the negative were:		
Engel	Frank	Moe
Absent and not voting:		
Bubel	Klefstad	Schlafmann
Crockett	Olson, Bowman	Smart
Devlin	Saumur	Westby
Fraser		

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Sticka moved that the vote by which House Bill No. 203 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 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 203.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 34-0606 of the North Dakota Revised Code of 1943 Relating to the Hours of Labor of Females Within This State in Certain Commercial Establishments and in State Institutions.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 48.

W. J. TROUT, Secretary.  
Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

House Concurrent Resolution "DD." A Concurrent Resolution Memorializing the Director of the War Production Board With Reference to the Furnishing of Materials for the Manufacture of Farm Machinery.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 173. A Bill for an Act Requiring All Persons, Partnerships, Groups, Associations or Corporations, Soliciting or Receiving Funds from the General Public or from Any Individual, Partnership, Group, Association or Corporation, to Be Used for the Purpose of Promoting, Defeating, or Repeal of Proposed Legislation or Constitutional Amendments, to File with the Secretary of State a Statement of the Amount of Funds Received and Accepted, the Names of Persons, Partnerships, Associations or Corporations from Whom Received; Making Certain Exceptions; Providing Penalties for Violation.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services, Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

Rep. Bolmeier requested that the House be on the Seventh Order of Business, which request was granted.

Rep. Sailer moved that a committee of three be appointed to escort Mrs. Bergesen to the rostrum.

The Speaker asked the Chief Clerk to put the motion, which motion prevailed.

The Chief Clerk appointed Reps. Sailer, Olson of Barnes and Schnell.

Mrs. Bergesen was escorted to the rostrum.

Rep. Bolmeier moved that the gentleman from Cass County, Rep. Ohnstad, be recognized at this time, which motion prevailed.

Rep. Ohnstad: We have had the pleasure of having Mrs. Bergesen with us throughout a great portion of the time we have spent here and as a token of the feeling that the members of the House and employees have to the presence that you have made here, I am going to ask one of the pages to come to my desk and take this little box up to the rostrum and unpack it and pin what you find in it on the shoulder of Mrs. Bergesen.

Rep. Bolmeier: I ask at this time that the gentleman from Barnes County, Rep. Olson, be recognized.

Rep. Olson of Barnes: I want to direct these remarks to

the Speaker of the House. We are now about to complete 60 days of very important legislation. When we, the members of the House, arrived in the City of Bismarck at the beginning of the session, the first thought that came to our mind was "whom are we going to select as our Speaker". It was because of your splendid assistance as floor leader in the 1943 session and during the special session that the legislators saw fit to select you as the Speaker of the House. I do not believe that there is a single individual member of the majority faction or the minority faction that has ever questioned your fairness in your decisions. Many times as I have watched the gavel come down because of this unruly group and your respect to the Chief Clerk because we were not in our seats to answer the roll call, I often wondered how much longer you could put up with this, a minute later when I caught your eye, you would have a smile on your face. It is because of your friendliness, your honesty, and your sincerity and your fairness that on behalf of myself and the other members of this House and all the employees—it gives me a great deal of pleasure at this time to present to you a small token of appreciation for your splendid efforts and cooperation.

Speaker Bergesen: I kind of had a hunch, having served in prior sessions of the legislature, but this is particularly beautiful and I cannot tell you how deeply I am moved nevertheless, by this expression on the part of the members of the House and the employees. I have always wanted a watch like this. I have carried a large one for many, many years because it was an heirloom given to me by an aunt whose husband had passed away. I have carried it about 30 years and it is of the old vintage. I would never sell it and somehow I did not want to buy one either. Still I had wanted a watch on this order and now that it has been presented to me in this fashion I can still keep the old one and wear this one.

I am especially appreciative, too, of the inscription on the back of the watch. You know I came to this legislature in 1939, not because I wanted the \$5.00 a day but because I would say two things, primarily: I wanted to have a part in the function of government. I thought of it only as a small part and I wanted to go on in private life and carry on my business, but it seemed the opportunity of coming to Bismarck to the Legislature and seeing the inside working of how laws are made and have a part in making them should be a contribution to the welfare of the State. And then I had a second objective. I came to the State of North Dakota not quite 30 years ago of my own free will and accord, having been born and raised for the most part in the State of Illinois and I heard you fellows boasting and telling how you were born in the State of North Dakota and would always live in the State of North Dakota. Of course, I have it over on you there. You started here, never left here and can't get away. On the other hand, I picked the State of North Dakota as the best place to live. I came to Bismarck because I wanted to become acquainted with more people over the State. I like people, I like the common run of people, not the type of the organizations of the common man across the hall who requests a contribution of \$1,000.00 to become a member.

I like the House in the legislature because it is a cross section of the State of North Dakota. We have here represented all the different viewpoints and men who walk in the

different ways of life. We come together here and we put our different ideas and opinions into the cauldron and out of it comes legislation, and I think for the most part extremely good legislation.

The House to me is somewhat of a fraternity. We look upon each other in the nature of brothers and in the House, as I look out upon you now, I feel toward every one of you as one brother to another and one brother to his own sister in the House. I thank you one and all. You have extended me the honor of presiding over the session which I deeply appreciate and I shall carry this watch with me throughout life and by it remember you all.

May I add also that I appreciate more than I can say the courtesies extended to Mrs. Bergesen and my daughter Karen and to Dorothy, who has not been here this session but has been in other sessions. Those courtesies are also deeply appreciated.

Rep. Bolmeier: I ask at this time that the gentleman from Ward County, Rep. Hovey, be recognized.

Rep. Hovey: Mr. Graham, my remarks are intended particularly for you. I am proud to have been selected from what you usually refer to as the "opposition faction" as spokesman for the members and employees of the House of Representatives on this occasion. We have watched with keen interest the service you have rendered both to your own group and to this House as leader of the Nonpartisan League members. We know that you have had a difficult task, rendered doubly difficult by the fact that you have not always been in the best of health, and I speak for all when I say that we admire and commend you for the tenacity with which you have fought for your beliefs and the skill you have displayed in winning your point.

Your leadership has been a source of inspiration to all members of the House and your explanation of many non-controversial measures has helped the sponsors of such legislation inestimably, whether they were from your own faction or not.

All of us, the members of all parties in the House, and the employees, take great pleasure in presenting you the gifts which I will now ask the pages to bring forward and place upon the table in front of the newspapermen.

Rep. Graham: Mr. Speaker, Rep. Hovey, and Members of the House and employees. I appreciate the spirit with which the remarks have been made by Mr. Hovey and I want you to know I appreciate the spirit. I also appreciate the flowers which were presented to me by the members and those by the employees of the House while I was in the hospital.

I tried to do the best that I knew how as I saw it. I know that we do not see the matters as many of you do, but I believe in the long run we come to see matters in the same way. Sometimes it takes a period of one year or two years before we can agree but I know whether you are on the League side or on the other side that you have done as you thought best for the people of the State of North Dakota.

I sincerely appreciate your spirit in doing that and I want to tell you that I appreciate the acquaintances and friendships I have made during the past two sessions and it is something I look back to with pleasure after the close of the session.

Rep. Bolmeier: I ask that the gentleman from McLean County, Rep. Haugen, be recognized at this time.

Rep. Haugen: Mr. Speaker: Rep. Johnson of Richland, my remarks are addressed to you as the floor leader of the opposition. I was just thinking as I was sitting here that it was significant in these sessions that I have attended that the floor leaders have always been lawyers. The fact that you, Mr. Johnson, and you Mr. Graham, were elected as floor leaders by the opposing factions shows that we in the House have confidence in you and had complete confidence in you when we elected you. We, of the minority, the opposition, join with you in the majority in expressing our sincere appreciation for the job you have done here. I know we have not always agreed but in times like this afternoon you, Mr. Johnson, were on my side and I appreciated the value of your arguments. Now, I will ask one of the pages to place on the desk a gift from the members of the House and the employees as a token of our esteem.

Rep. Johnson of Richland: Mr. Speaker, Mr. Haugen and Members of the House and Employees: I want to thank you from the bottom of my heart for the gift and for the nice compliments Mr. Haugen has paid to me.

I have enjoyed this session more than any of my previous sessions. As a good many of you probably have gathered, I enjoy politics. I feel that all of the members of this assembly have been more than courteous to me.

I realize at times I have probably been a little short for which I am sorry. It has been a pleasure working with all of the members of the House.

I know we have had differences but as the Speaker stated, we are more or less like a fraternity and when we are attacked as a body we all patch up our differences. For instance, when the Senate tried to kill our Roll Call Measure and the Governor vetoed our particular pet measure.

As we approach the end of each session, it reminds me of my last days in college before graduation. It is with deep regret that we anticipate saying goodbye to the many fine friends we have made during the session. I cannot help but feel that after having spent 60 days with this group that they are the type of individuals I would like to have in my own community as neighbors.

I want to add a particular compliment to Rep. Graham. We have never had any particular difficulties. He has been a gentleman and more than fair and it has really been a pleasure to work opposite him. I realize he has been handicapped the last few days on account of his health but I think that the members throughout the session have respected him and I join with the members in paying our respect to him as a member of the House and a fine floor leader.

I also feel that the Speaker has done an admirable job in handling the affairs of our assembly. The best testimony is the fact that we find ourselves in a position on the 59th day to complete our work on the 60th day. In leaving you, I want to thank you for the gift and for all the courtesies you have shown me throughout this session.

Rep. Thompson of Richland moved that the remarks be printed in the Journal, which motion prevailed.

**MESSAGES FROM THE SENATE**

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 11.  
Senate Bill No. 13.  
Senate Bill No. 14.  
Senate Bill No. 16.  
Senate Bill No. 22.  
Senate Bill No. 25.  
Senate Bill No. 27.  
Senate Bill No. 28.  
Senate Bill No. 36.  
Senate Bill No. 115.  
Senate Bill No. 132.  
Senate Bill No. 173.  
Senate Bill No. 192.  
Senate Bill No. 208.  
Senate Bill No. 5.

Senate Concurrent Resolution No. 8.

W. J. TROUT, Secretary.

Rep. Johnson of Richland moved that the House recess for thirty minutes, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

**MESSAGES FROM THE SENATE**

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House Amendment to Senate Bill No. 69 and the President has appointed as a conference committee to act with a like committee from the House, Senators Rue, O'Brien and Stucke.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House Amendment to Senate Bill No. 17 and the President has appointed as a conference committee to act with a like committee from the House, Senators Morgan, Stucke and Braun.

W. J. TROUT, Secretary.

**FIRST READING OF SENATE BILLS**

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Judiciary.

Senate Bill No. 212. A Bill for an Act to Appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring and Emergency.

Was read for the first time and referred to the Committee on Appropriations.

Senate Bill No. 213. A Bill for an Act to Provide for the Taking of Depositions of Witnesses in Impeachment Proceedings; to Compel the Attendance of Witnesses and the Production of Records Before the Officer Before Whom Such Depositions May Be Taken; to Fix Penalties for Refusal; and Declaring an Emergency.

Was read for the first time and referred to the Committee on Judiciary.

Senate Concurrent Resolution No. 16. State Land Department Authorized to Accept Bid of Returned Veterans on Sale of Original Grant Lands.

Was read for the first time.

Rep. Sandness moved that Senate Concurrent Resolution No. 16 be adopted, which motion prevailed and Senate Concurrent Resolution No. 16 was adopted.

Rep. Sandness moved that the vote by which Senate Concurrent Resolution No. 16 was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations.

Which the Senate has amended.

W. J. TROUT, Secretary.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 16. State Land Department Authorized to Accept Bid of Returned Veterans on Sale of Original Grant Lands.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

Rep. Fitch moved that the rules be suspended and all bills upon which the House has taken final action but to which no "clincher" motion has been attached and which are now in possession of the House, be messaged to the Senate immediately, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

Rep. Fitch moved that a Conference Committee on Senate Bill No. 69 be appointed, which motion prevailed.

The Speaker appointed Reps. Fitch, Crockett and Thompson of Griggs.

Rep. Johnson of Cass moved that a Conference Committee be appointed on Senate Bill No. 17, which motion prevailed.

The Speaker appointed Reps. Sailer, Symington and Sticka.

## House Bill No. 62.

In the engrossed Bill strike out subsection 17, Section 52-101, which are lines 385 to 430, inclusive.

Rep. Ohnstad moved that the House concur in the Senate Amendments to House Bill No. 62, which motion prevailed.

Rep. Ohnstad moved that the rules be suspended and House Bill No. 62 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04 of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

Was read the 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:

Acheson	Haag	Sailer
Allen, Grand Forks	Halerow	Sandness
Allen, Pierce	Haugen	Saumur
Anderson	Haugland	Schimke
Arndt	Heckman	Schlafmann
Bagge	Hegge	Schmalenberger
Baumgartner	Herk	Schmidt, Logan
Bennø	Hildre	Schmidt, Morton
Bjella	Hogoboom	Schnell
Blair	Hovey	Schwartz
Bolmfier	Isaak	Seibel
Boucher	Jennings	Sellens
Brady	Johnson, Cass	Severson
Burau	Johnson, Richland	Sharpe
Bymers	Kiefstad	Shockman
Callahan	Langley	Skaar



Collette	Larson	Stair
Crockett	Lillehaugen	Smart
Dalzell	Lindberg	Stanley
Devlin	Luick	Sticka
Dittmer	Lysne	Still
Drawz	McInnes	Stormon
Drovdal	Maher	Symington
Ekren	Moe	Thompson, Griggs
Engel	Moerke	Thompson, Richl'nd
Esterby	Mollet	Tuff
Falconer	Monson	Wambheim
Fitch	Mork	Welk
Fleck	Mortenson	Westby
Forseth	Nystrom	Wolf, McIntosh
Frank	Ohnstad	Wolf, Morton
Fraser	Olson, Barnes	Wollitz
Fuglestad	Ostgulen	Yirchott
Gainor	Pyle	Mr. Speaker
Grenier	Rohrer	
Absent and not voting:		
Belzer	Halvorson	Levin
Bubel	Hofstrand	Olson, Bowman
Graham	Leet	

So the bill as amended passed and the title was agreed to. Rep. Fitch moved that the vote by which House Bill No. 62 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 220.

Strike out everything after the words "A BILL" and insert the following:

For an Act to amend and re-enact Section 7-0414 and Section 7-0417 of the North Dakota Revised Code of 1943 pertaining to advances by Building and Loan Associations and repayment of the same.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

- 1 SECTION 1. AMENDMENT.) Section 7-0414 of the
- 1a North
- 2 Dakota Revised Code of 1943 is hereby amended and
- 2a re-enacted
- 3 to read as follows:
- 4 SECTION 1. 7-0414. ADVANCEMENT OF FUNDS
- 4a TO PROTECT
- 5 LIENS. Any association may advance funds or make
- 5a addition-
- 6 al loans to members from time to time for maintenance,
- 7 repairs, modernization and improvement of real estate on
- 8 which the association owns a first mortgage lien, and
- 8a for
- 9 insurance premiums and taxes due and owing thereon,
- 9a up to
- 10 the original amount of said mortgage or five hundred
- 11 dollars, whichever may be the lesser, with or without
- 12 changing the terms of said mortgage, and may carry
- 12a such
- 13 advances or loans upon its books as assets of the assoc-
- 14 iation, provided the said first mortgage by its terms
- 15 reserves in the association the right to make such ad-

15a vances  
16 or additional loans and provided further that such ad-  
16a vances  
17 or loans are used for the purpose stated herein. Such  
18 advances or loans shall be deemed to be merged, incorpor-  
19 ated in and become a part of and secured by said first  
20 mortgage and the association shall have a good and valid  
21 first lien against such real estate and the pledged shares  
22 of such member to secure the payment of funds so ad-  
22a vanced  
23 or loaned.

24 SECTION 2. AMENDMENT). Section 7-0417 of the  
24a North  
25 Dakota Revised Code of 1943 is hereby amended and re-  
26 enacted as follows:

27 SECTION 7-0417. REPAYMENT OF LOANS. A  
27a share holder  
28 may repay at any time any loan made to him by an  
28a associa-  
29 tion by paying the principal due thereon less the with-  
30 drawal value of the shares transferred as security there-  
31 for, the interest accrued at the date of such repayment,  
32 and all sums advanced by the association for taxes,  
32a assess-  
33 ments, insurance premiums, maintenance, repairs, mod-  
33a ern-  
34 ization, and improvements, with interest thereto:

35 1. Interest on the principal repaid for a period or  
36 three months after the day of repayment, or any such  
37 borrowing member may pay upon any such loan a sum  
37a equal

38 to the matured value of one or more of the installment  
39 shares transferred and pledged as security therefor, upon  
40 the same proportionate terms as are provided in this  
41 section for payment in full;

42 2. Interest upon such principal for the whole year  
43 when so provided in the by-laws of the association, if the  
44 repayment is made at any time within one year from the  
44a date

45 of the mortgage or other evidence of debt;

46 3. If any such association is in the process of  
47 voluntary liquidation, the shares of a borrowing share-  
48 holder shall be entitled to full participation in the  
49 current earnings of such association, and their value as  
50 thus determined shall be applied upon the indebtedness of  
51 such member; and

52 4. If any such association is in the process of invol-  
53 untary liquidation, the minimum value of the shares  
53a owned

54 by the borrowing shareholder, after allowing for all poss-  
55 ible losses and the expenses of liquidation, may be al-  
55a lowed

56 in the reduction of his indebtedness, and he shall be en-  
57 titled to receive his proportionate share of any further  
58 sums that thereafter may be realized from the assets of  
59 such association.

60 Nothing in this section shall be construed to prevent the  
61 reduction of any such association's liability to its mem-  
62 bers, in accordance with section 7-0420.

Rep. Johnson of Richland moved that the House concur in the Senate amendments to House Bill No. 220, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and House Bill No. 220 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 and Section 7-0417 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations and Repayment of the Same.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 7; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schwartz
Boucher	Hogoboom	Schnell
Brady	Hovey	Sellens
Bureau	Isaak	Severson
Bymers	Jennings	Sharpe
Callahan	Johnson, Cass	Shockman
Collette	Johnson, Richland	Skaar
Dalzell	Langley	Smart
Devlin	Larson	Stair
Dittmer	Levin	Stanley
Drawz	Lillehaugen	Sticka
Drovdal	Lindberg	Still
Ekren	Luick	Stormon
Engel	Lysne	Symington
Esterby	McInnes	Thompson, Griggs
Falconer	Maher	Tuff
Fitch	Moe	Wambheim
Fleck	Mork	Welk
Forseth	Mortenson	Westby
Frank	Nystrom	Wolf, Morton
Fraser	Ohnstad	Wollitz
Fuglestad	Olson, Barnes	Yirchott
Gainor	Ostgulen	Mr. Speaker
Graham		

Those voting in the negative were:

Crockett	Monson	Thompson, Richl'nd
Moerke	Seibel	Wolf, McIntosh
Mollet		

**Absent and not voting:**

Bolmeier	Klefstad	Olson, Bowman
Bubel	Leet	

So the bill as amended passed and the title was agreed to.

Rep. Johnson of Richland moved that the vote by which House Bill No. 220 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**MESSAGE TO THE SENATE**

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 62, 201 and 220.

KENNETH L. MORGAN, Chief Clerk.

**MESSAGE FROM THE SENATE**

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 194 and the President has appointed as a conference committee to act with a like committee from the House, Senators Raschko, Blank and Page.

W. J. TROUT, Secretary.

Rep. Johnson of Richland moved that a conference committee be appointed on Senate Bill No. 194, which motion prevailed.

The Speaker appointed Reprs. McInnes, Haugen and Blair.

**MESSAGES TO THE SENATE**

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

Senate Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 16-0415; 16-0420 and 16-0426 of the 1943 Code Relative to Primary Election Ballots and Poll Lists. And Repealing all Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 28-0212 and 28-0213 of the North Dakota Revised Code of 1943, Relating to Continuance of Actions and Procedure in Case of Death or Other Disability of a Party, and Relating to Procedure in Case of Death of One or More Plaintiffs or Defendants.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 of the North Dakota Revised Code of 1943, Pertaining to the Duties of the State Dairy Commissioner and Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of

North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the North Dakota Revised Code of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Compliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.

Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code of 1943, Relating to the Oath of Office, Filling of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment

of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 5.  
 House Bill No. 8.  
 House Bill No. 13.  
 House Bill No. 16.  
 House Bill No. 18.  
 House Bill No. 19.  
 House Bill No. 24.  
 House Bill No. 25.  
 House Bill No. 32.  
 House Bill No. 49.  
 House Bill No. 55.  
 House Bill No. 71.  
 House Bill No. 119.  
 House Bill No. 145.  
 House Bill No. 158.  
 House Bill No. 162.  
 House Bill No. 194.  
 House Bill No. 213.  
 House Bill No. 247.  
 Senate Bill No. 9.  
 Senate Bill No. 15.  
 Senate Bill No. 19.  
 Senate Bill No. 23.  
 Senate Bill No. 24.  
 Senate Bill No. 26.  
 Senate Bill No. 29.  
 Senate Bill No. 30.  
 Senate Bill No. 31.  
 Senate Bill No. 37.  
 Senate Bill No. 39.  
 Senate Bill No. 44.  
 Senate Bill No. 49.  
 Senate Bill No. 68.  
 Senate Bill No. 86.  
 Senate Bill No. 101.  
 Senate Bill No. 178.  
 Senate Bill No. 179.  
 Senate Bill No. 188.  
 Senate Bill No. 205.  
 Senate Bill No. 128.  
 Senate Bill No. 133.  
 Senate Bill No. 181.  
 Senate Bill No. 186.

And the Speaker signed the same in the presence of the House.

Rep. Johnson of Richland moved to recess until 7:30 o'clock p. m., which motion prevailed.

The House reconvened at 7:30 p. m., Speaker Bergesen presiding.

Rep. Seibel moved that the House return Senate Bills Nos. 122, 176 and 196 for the reason that they are improperly enrolled, which motion prevailed and the Bills were ordered returned to the Senate.

### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Forclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Which are improperly enrolled.

KENNETH L. MORGAN, Chief Clerk.

### SECOND READING OF SENATE BILLS

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Therefor Through Special Assessments Against the Property Benefited.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 3; absent and not voting, 26.

Those voting in the affirmative were:

Acheson	Fuglestad	Sandness
Allen, Grand Forks	Gainor	Saunur
Anderson	Grenier	Schlafmann
Arndt	Haag	Schmalenberger
Bagge	Halcrow	Schmidt, Logan
Baumgartner	Halvorson	Schmidt, Morton
Belzer	Heckman	Schnell
Benno	Hegge	Schwartz
Bjelba	Hildre	Seibel
Blair	Hofstrand	Severson

Boucher	Hogoboom	Sharpe
Bubel	Hovey	Shockman
Burau	Johnson, Cass	Skaar
Callahan	Langley	Smart
Collette	Lillehaugen	Stair
Dalzell	Lindberg	Stanley
Devlin	Luick	Sticka
Dittmer	Lysne	Still
Drawz	Maher	Stormon
Drovdal	Moe	Thompson, Griggs
Engel	Moerke	Thompson, Richland
Esterby	Monson	Wambheim
Falconer	Mork	Welk
Fitch	Olson, Barnes	Westby
Fleck	Ostgulen	Wolf, McIntosh
Forseth	Pyle	Wolf, Morton
Frank	Rohrer	Mr. Speaker
Fraser	Sailer	

Those voting in the negative were:

Levin	Mortenson	Tuff
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Absent and not voting:

Allen, Pierce	Herk	Nystrom
Bolmeier	Isaak	Ohnstad
Brady	Jennings	Olson, Bowman
Bymers	Johnson, Richland	Schimke
Crockett	Klefstad	Sellens
Ekren	Larson	Symington
Graham	Leet	Wollitz
Haugen	McInnes	Yirchott
Haugland	Mollet	

So the bill as amended passed and the title was agreed to.

Rep. Saumur moved that the vote by which Senate Bill No. 156 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of 1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 61; nays, 42; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Grenier	Rohrer
Allen, Grand Forks	Halcrow	Sailer
Allen, Pierce	Heckman	Sandness
Anderson	Hegge	Saumur
Arndt	Hildre	Sellens
Bagge	Hofstrand	Severson
Baumgartner	Hogoboom	Sharpe
Belzer	Hovey	Skaar
Benno	Isaak	Smart
Bjella	Johnson, Cass	Stair
Blair	Johnson, Richland	Stanley
Boucher	Langley	Still
Burau	Leet	Stormon



Callahan	Luick	Symington
Collette	Lysne	Thompson, Griggs
Devlin	McInnes	Wambheim
Drawz	Nystrom	Westby
Fitch	Ohnstad	Wolf, McIntosh
Fleck	Olson, Barnes	Yirchott
Gainor	Pyle	Mr. Speaker
Graham		
Those voting in the negative were:		
Bubel	Haugen	Schimke
Crockett	Jennings	Schlafmann
Dalzell	Larson	Schmalenberger
Dittmer	Levin	Schmidt, Logan
Drovdal	Lillehaugen	Schmidt, Morton
Engel	Lindberg	Schnell
Esterby	Maher	Schwartz
Falconer	Moe	Seibel
Forseth	Moerke	Shockman
Frank	Mollet	Sticka
Fraser	Monson	Thompson, Rich'l'nd
Fuglestad	Mork	Tuff
Haag	Mortenson	Welk
Halvorson	Ostgulen	Wolf, Morton
Absent and not voting:		
Bolmeier	Ekren	Klefstad
Brady	Haugland	Olson, Bowman
Bymers	Herk	Wollitz

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Rep. Allen of Grand Forks moved that the vote by which Senate Bill No. 126 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Chapter 36-02 of the North Dakota Revised Code of 1943.

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives

Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 39. 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 Sections 26-2401 to 26-2421, Inclusive, of the North Dakota Revised Code of 1943, and Declaring an Emergency.

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same on the Capitol Grounds in the City of Bismarck, North Dakota.

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 30 of the Authenticated Edition of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly (House Bill 24) Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

Senate Bill No. 86. A Bill for an Act to Deny to Defeated Candidates for Nomination to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office for Which They Were Defeated and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund of the State, and Declaring an Emergency.

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943 Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed and Providing for Refund to Purchaser in the Event of an Adverse Decision.

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 24-0105 of the North Dakota Revised Code of 1943, Relating to the Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Such Highways.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives

Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives

Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

House Bill No. 13. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

House Bill No. 24. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

House Bill No. 71. A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised Code of North Dakota for 1943, Relating to the Registration of Motor Trucks, Truck-tractors, Trailers and Semi-trailers on a Gross Weight Basis.

House Bill No. 194. A Bill for an Act Authorizing Administration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the Armed Forces of the United States of America; Declaring Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "Highway Operating Fund" in the State Treasury, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 17; absent and not voting, 12.

Those voting in the affirmative were:

Acheson	Gainor	Pyle
Allen, Grand Forks	Graham	Rohrer
Allen, Pierce	Grenier	Sandness
Anderson	Halcrow	Saumur
Arndt	Heckman	Schimke
Bagge	Hegge	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Morton
Benno	Hofstrand	Schnell
Bjella	Hogboom	Seibel
Blair	Jennings	Sellens
Boucher	Johnson, Cass	Severson
Bubel	Johnson, Richland	Sharpe
Burau	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Larson	Stair
Devlin	Leet	Stanley
Dittmer	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Thompson, Griggs
Ekren	Lysne	Tuff
Esterby	McInnes	Welk
Falconer	Maher	Westby
Fitch	Moe	Wolf, Morton
Fleck	Nystrom	Wollitz
Forseth	Ohnstad	Yirschott
Fraser	Olson, Barnes	Mr. Speaker
Fuglestad	Ostgulen	

Those voting in the negative were:

Crockett	Levin	Schmidt, Logan
Engel	Moerke	Schwartz
Frank	Mollet	Shockman
Haag	Monson	Thompson, Rich'nd
Halvorson	Mork	Wolf, McIntosh
Isaak	Mortenson	

Absent and not voting:

Bolmeier	Haugen	Sailer
Brady	Haugland	Sticka
Bymers	Hovey	Symington
Dalzell	Olson, Bowman	Wambheim

So the bill as amended passed and the title was agreed to.

Rep. Leet moved that the vote by which Senate Bill No. 203 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Leet moved that the title to Senate Bill No. 203 be amended by striking out the period at the end of the title, inserting a comma and the following words "Declaring an Emergency," which motion unanimously prevailed.

Senate Concurrent Resolution No. 2. A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Was read the second time.

Rep. Falconer moved that Senate Concurrent Resolution No. 2 be adopted, which motion prevailed and Senate Concurrent Resolution No. 2 was adopted.

Rep. Falconer moved that the vote by which Senate Concurrent Resolution No. 2 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations, Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States or any Instrumentality Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 59; nays, 43; absent and not voting, 10.

Those voting in the affirmative were:

Allen, Grand Forks	Haugen	Saumur
Allen, Pierce	Haugland	Schlafmann
Arndt	Hegge	Schmalenberger
Bagge	Herk	Schmidt, Morton
Benno	Hildre	Schnell
Bjella	Hofstrand	Sellens
Blair	Hovey	Severson
Bubel	Jennings	Sharpe
Bymers	Johnson, Cass	Skaar
Callahan	Klefstad	Smart
Collette	Langley	Stair

Devlin	Leet	Stanley
Dittmer	Luick	Stormon
Drawz	Mork	Thompson, Griggs
Ekren	Nystrom	Wambheim
Falconer	Ohnstad	Westby
Fleck	Olson, Barnes	Wolf, Morton
Forseth	Pyle	Yirchott
Graham	Rohrer	Mr. Speaker
Grenier	Sandness	
Those voting in the negative were:		
Acheson	Halcrow	Monson
Anderson	Halvorson	Mortenson
Baumgartner	Heckman	Ostgulen
Belzer	Hogoboom	Schimke
Brady	Isaak	Schmidt, Logan
Burau	Larson	Schwartz
Crockett	Levin	Seibel
Droydal	Lillehaugen	Shockman
Engel	Lindberg	Still
Esterby	Lysne	Thompson, Rich'nd
Fitch	Maher	Tuff
Frank	Moe	Welk
Fuglestad	Moerke	Wolf, McIntosh
Gainor	Mollet	Wollitz
Haag		
Absent and not voting:		
Bolmeier	Johnson, Richland	Sailer
Boucher	McInnes	Sticka
Dalzell	Olson, Bowman	Symington
Fraser		

So the bill passed as amended and the title was agreed to, and the emergency clause was declared lost.

Rep. Callahan moved that the vote by which Senate Bill No. 168 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 7; absent and not voting, 11.

Those voting in the affirmative were:		
Acheson	Haag	Mortenson
Allen, Grand Forks	Halcrow	Nystrom
Allen, Pierce	Halvorson	Ohnstad
Anderson	Haugen	Olson, Barnes
Arndt	Haugland	Ostgulen
Bagge	Heckman	Pyle
Baumgartner	Hegge	Rohrer
Belzer	Herk	Sandness
Benno	Hildre	Saumur

Bjella	Hofstrand	Schlafmann
Boucher	Hogoboom	Schmalenberger
Brady	Hovsy	Schmidt, Logan
Bubel	Isaak	Schmidt, Morton
Bureau	Jennings	Sellens
Bymers	Johnson, Cass	Severson
Callahan	Johnson, Richland	Sharpe
Collette	Klefstad	Skaar
Dalzell	Langley	Smart
Devlin	Larson	Stanley
Dittmer	Laet	Still
Drawz	Levin	Stormon
Drovdal	Lillehaugen	Thompson, Griggs
Ekren	Lindberg	Tuff
Esterby	Lwick	Wambheim
Falconer	Lysne	Welk
Fitch	Maher	Westby
Forseth	Moe	Wolf, McIntosh
Fraser	Moerke	Wolf, Morton
Fuglestad	Mollet	Wollitz
Gainor	Monson	Yirchott
Graham	Mork	Mr. Speaker
Grenier		

Those voting in the negative were:

Crockett	Schwartz	Shockman
Engel	Seibel	Thompson, Richl'nd
Frank		

Absent and not voting:

Blair	Olson, Bowman	Stair
Bolmeier	Sailer	Stjcka
Fleck	Schimke	Symington
McInnes	Schnell	

So the bill as amended passed and the title was agreed to.

Rep. Welk 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.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 7.  
House Bill No. 20.  
House Bill No. 23.  
House Bill No. 28.  
House Bill No. 44.  
House Bill No. 105.  
House Bill No. 123.  
House Bill No. 134.  
House Bill No. 195.  
House Bill No. 196.  
House Bill No. 197.  
House Bill No. 219.  
House Bill No. 259.  
House Bill No. 267.  
House Bill No. 276.  
House Bill No. 277.



House Bill No. 283.

House Bill No. 285.

House Concurrent Resolution "S".

And find the same correctly Enrolled.

REP. LEET, 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 Judiciary to whom was referred Senate Bill No. 213, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. McInnes 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. 211, have had the same under consideration and recommend that the same be amended as follows:

In line 15 after the word "managers" and before the comma insert the following: "and counsel selected and employed by accused with respect to his defense in his impeachment trial"; and in line 16 after the word "court" strike out the period, substitute a comma and insert the following: "provided, however, that the amount paid to the counsel employed to assist the managers and the amount paid to the counsel employed to assist the accused shall be equal."

And renumber the lines.

And when so amended recommend the same do pass.

REP. JOHNSON of Richland, Chairman.

Rep. Sellens moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that Senate Bill No. 211 be further amended as follows: In the title after the word "proceedings" strike out the period and insert a comma and the following words "and repealing all acts or parts of acts in conflict herewith".

Add a new section as follows:

"Section 3. Repeal.) All acts or parts of acts in conflict are hereby repealed."

Which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and Senate Bill No. 211 be amended as recommended by the Standing Committee Report, and further amended by Rep. Graham, which motion prevailed and the amendments were declared adopted and Senate Bill No. 211 placed on the Calendar.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 212, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON of Cass, Chairman.

Rep. Graham moved that the rules be suspended and Senate Bill No. 212 be further amended as follows:

At the end of line 6 strike out "July 1".

In line 7 strike out the figures "1947" and insert in lieu thereof "January 1, 1946", which motion prevailed.

Rep. Leet moved that the rules be suspended and Senate Bill No. 212 be amended as recommended by the Standing Committee Report, and further amended by Rep. Graham, which motion prevailed and the amendments were declared adopted and Senate Bill No. 212 placed on the Calendar.

Mr. Speaker: Your Committee on Employment to whom was referred House Concurrent Resolution "CC", have had the same under consideration and recommend that the same be amended as follows:

In line 27 strike out the figures \$5.00 and insert in lieu thereof the figures \$6.50. In line 28 after the word "of" strike out the figures \$5.00 and insert in lieu thereof the figures \$6.50. In line 30 after the word "of" strike out the figures \$4.50 and insert in lieu thereof the figures \$5.85. In line 33 after the word "Of" strike out the figures \$5.00 and insert the figures \$6.50.

And when so amended recommend the same do pass.

REP. BLAIR, Chairman.

Rep. Sailer moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bubel moved that House Concurrent Resolution "CC" be further amended in line 43 by adding a comma after the name Mrs. Eleanor Vendt and inserting the name "Mrs. Myrtle Thorberg", which motion prevailed.

Rep. Blair moved that the rules be suspended and House Concurrent Resolution "CC" be amended as recommended by the Standing Committee Report, and further amended by Rep. Bubel, which motion prevailed and the amendments were declared adopted and House Concurrent Resolution "CC" placed on the Calendar.

Mr. Speaker: Your Committee on Employment to whom was referred House Concurrent Resolution "AA" have had the same under consideration and recommend that the same do pass.

REP. BLAIR, Chairman.

Rep. Sailer moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations, Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States or any Instrumentality

Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies, and Declaring an Emergency.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of 1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Therefor Through Special Assessments Against the Property Benefited.

Senate Concurrent Resolution No. 2. A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Which the House has passed unchanged except the emergency clause lost on Senate Bill No. 126.

KENNETH L. MORGAN, Chief Clerk.

Rep. Johnson of Richland moved that the absent members be excused, which motion prevailed.

Rep. Bolmeier moved that the House do now adjourn, which motion prevailed.

KENNETH L. MORGAN, Chief Clerk.

#### SIXTIETH DAY

Bismarck, March 2, 1945

The House convened at 2:00 o'clock p.m., pursuant to adjournment, Speaker Bergesen presiding.

Prayer was offered by Speaker Bergesen.

Roll call: All members present except Rep. Olson of Bowman.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-Eighth Day after Recess and the Fifty-Ninth Day and recommends that the same be corrected as follows:

On page 1014 strike out lines "23 to 27" inclusive.

On page 1030 in line 18 change "187" to "189".

And when so corrected recommends that the same be approved.

REP. FUGLESTAD, Chairman.

Rep. Halcrow moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 69 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 69, have had the same under consideration and recommend:

That the House recedes from its amendments.

For the Senate:  
MILTON RUE  
HARRY O'BRIEN  
E. C. STUCKE

For the House:  
K. A. FITCH  
HARRY L. THOMPSON  
W. M. CROCKETT

Rep. Fitch moved that the report be adopted.

Rep. Johnson of Cass offered as a substitute motion that the report of the Conference Committee on Senate Bill No. 69 be not adopted, which motion prevailed.

A Division was called for and which revealed 54 voting for and 31 against so the motion prevailed.

Rep. Fitch moved that a new Conference Committee be appointed on Senate Bill No. 69, which motion prevailed.

The Speaker appointed Reps. Johnson of Cass, Callahan and Lillehaugen.

The Conference Committee on Senate Bill No. 194 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 194, have had the same under consideration and recommend:

That the Senate concur with the House amendments on Senate Bill No. 194.

For the Senate:  
M. J. RASCHKO  
FRANKLIN PAGE  
P. W. BLANK

For the House:  
H. W. McINNES  
DONNELL HAUGEN  
D. S. BLAIR

Rep. McInnes moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 228 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 228, have had the same under consideration and recommend:

In line 10 strike out the words and figures "four thousand dollars (\$4,000.00)" and insert the words and figures "three thousand dollars (\$3,000.00)".

In line 15 after the word "hereof," strike out the words "20% of the freeholders and farm tenants" and insert in lieu thereof the words "25% of the free holders".

In lines 22 and 23 strike out the words and figures "four thousand dollars (\$4,000.00)" and insert in lieu thereof the

words and figures "three thousand dollars (\$3000.00)."

For the Senate:

G. I. FETON  
GUST WOG  
OSCAR WAHLUND

For the House:

THOMAS V. DEVLIN  
CORNELIUS BYMERS  
ANDREW HALVORSON

Rep. Devlin moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Devlin moved that the rules be suspended and House Bill No. 228 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Halvorson	Rohrer
Allen, Grand Forks	Haugen	Sailer
Allen, Pierce	Heckman	Sandness
Anderson	Hegge	Saumur
Arndt	Herk	Schlafmann
Bagge	Hildre	Schmalenberger
Baumgartner	Hofstrand	Schmidt, Logan
Belzer	Hogoboom	Schmidt, Morton
Benno	Hovey	Schnell
Bjella	Isaak	Schwartz
Blair	Jennings	Seibel
Bolmeier	Johnson, Cass	Sellens
Boucher	Johnson, Richland	Severson
Brady	Klefstad	Sharpe
Bubel	Langley	Shockman
Bureau	Larson	Skaar
Bymers	Leet	Smart
Callahan	Levin	Stair
Collette	Lillehaugen	Stanley
Dalzell	Lindberg	Sticka
Devlin	Luick	Still
Dittmer	Lysne	Stormon
Drawz	McInnes	Symington
Drovdal	Maher	Thompson, Griggs
Ekren	Moerke	Thompson, Richl'nd
Engel	Mollet	Tuff
Esterby	Monson	Wambheim
Falconer	Mork	Welk
Fitch	Mortenson	Westby
Forseth	Nystrom	Wolf, McIntosh
Frank	Ohnstad	Wolf, Morton
Fraser	Olson, Barnes	Wollitz

Gainor	Ostgulen	Yirchott
Haag	Pyle	Mr. Speaker
Halcrow		

Those voting in the negative were:  
Crockett Moe

Absent and not voting:

Fleck	Grenier	Olson, Bowman
Fuglestad	Haugland	Schimke
Graham		

So the bill passed as amended and the title was agreed to and the emergency clause was declared carried.

Rep. Devlin moved that the vote by which House Bill No. 228 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 21 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 21, have had the same under consideration and recommend that the House recede from their objection and do concur in the Senate amendments.

For the Senate:

MILTON RUE  
M. J. RASCHKO  
RAY MURRY

For the House:

WM. B. FALCONER  
CURTIS OLSON  
LEO STICKA

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the rules be suspended and House Bill No. 21 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 12; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Halcrow	Olson, Barnes
Allen, Grand Forks	Halvorson	Ostgulen
Allen, Pierce	Haugen	Pyle
Anderson	Haugland	Rohrer
Arndt	Heckman	Sailer
Bagge	Hegge	Saumur
Baumgartner	Herk	Schimke
Belzer	Hildre	Schlafmann
Benno	Hofstrand	Schmalenberger
Bjella	Hogoboom	Schmidt, Morton
Blair	Hovey	Schnell

Bolmeier	Isaak	Schwartz
Boucher	Jennings	Seibel
Brady	Johnson, Cass	Sellens
Bubel	Johnson, Richland	Severson
Bureau	Klefstad	Sharpe
Bymers	Langley	Shockman
Callahan	Larson	Smart
Collette	Levin	Stair
Crockett	Lindberg	Stanley
Devlin	Luick	Sticka
Dittmer	Lysne	Still
Drawz	McInnes	Stormon
Ekren	Maher	Thompson, Griggs
Esterby	Moerke	Wamphelm
Falconer	Mollet	Welk
Fitch	Monson	Westby
Fleck	Mork	Wolf, Morton
Forseth	Mortenson	Wollitz
Fraser	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor		
Those voting in the negative were:		
Engel	Lillehaugen	Symington
Frank	Moe	Thompson, Richl'nd
Haag	Schmidt, Logan	Tuff
Leet	Skaar	Wolf, McIntosh
Absent and not voting:		
Dalzell	Graham	Olson, Bowman
Drovdal	Grenier	Sandness

So the bill as amended passed and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to adopt the Conference Committee report on Senate Bill No. 69 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Johnson of Cass, Callahan and Lillehaugen.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

House Concurrent Resolution "M." Memorializing the Congress of the United States to Enact Legislation Permitting the Cancellation of All Accrued Interest Charges on Outstanding Feed and Seed Loans.

House Concurrent Resolution "P." Authorizing Imprinting the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

House Bill No. 142. A Bill for an Act to Amend and Re-enact Sections 15-3608 and 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State.

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use of the Attorney General in Administering the Provisions of Said Act During the Biennium Ending June 30, 1947, Providing That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act.

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing: Classification 5.

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.



House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 61-2142 of the North Dakota Revised Code of 1943, as Amended by Chapter 14 of the 1944 Special Session Laws, Relating to Repairs of Existing Drains and Declaring an Emergency.

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of Premises and Report by the State Department of Health and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and Concerning Need for Such Homes in Any Given Community; and Providing for a Penalty.

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Administration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

House Bill No. 10. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

House Bill No. 11. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Department of Weights and Measures.

House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 53. A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for the Purchase Price of Chairs for Legislative Committees; and Declaring an Emergency.

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

House Bill No. 80. A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

House Bill No. 85. A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the

Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

House Bill No. 88. A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged to Secure Loans of State School Funds and Conveyed to the State by the Mortgagors or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

Which the President has signed.

W. J. TROUT, Secretary.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 114 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 114, have had the same under consideration and recommend:

The Senate recedes from its amendments.

For the Senate:

P. L. FOSS

ORRIS G. NORDHOUGEN

P. I. DAHLEN

For the House:

C. T. YIRCHOTT

D. S. BLAIR

S. A. FORSETH

Rep. Yirchott moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 48 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 48, have had the same under consideration and recommend:

That the Senate recede from all their amendments and that the bill be amended as follows: In the title of the engrossed bill strike out the period after the word county

officers and add the following: "and declaring an emergency." Strike out line 21 and all lines after 21 in the engrossed bill and add the following: "Provided, however, that such codifications and copies of the session laws shall remain the permanent property of the county. Section 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

For the Senate:  
 W. H. SHURE  
 J. J. KEHOE  
 CARROLL E. DAY

For the House:  
 JOHNSON of Richland  
 F. J. GRAHAM  
 MANFRED R. OHNSTAD

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Richland moved that the rules be suspended and House Bill No. 48 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Acheson	Gainor	Olson, Barnes
Allen, Grand Forks	Haag	Ostgulen
Allen, Pierce	Halcrow	Pyle
Anderson	Halvorson	Rohrer
Arndt	Haugen	Sailer
Bagge	Haugland	Sandness
Baumgartner	Heckman	Schlafmann
Belzer	Herk	Schmalenberger
Benno	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Hovey	Schwartz
Boucher	Isaak	Sellens
Brady	Jennings	Seibel
Bubel	Johnson, Cass	Severson
Burau	Johnson, Richland	Sharpe
Bymers	Klefstad	Skaar
Callahan	Langley	Smart
Collette	Larson	Stair
Cröckett	Leet	Stanley
Devlin	Levin	Still
Dittmer	Lillehaugen	Stormon
Drawz	Lindberg	Symington
Drovdal	Luick	Thompson, Griggs

Ekren	Lysne	Thompson, Richl'nd
Engel	McInnes	Tuff
Esterby	Maher	Wambheim
Falconer	Moe	Welk
Fitch	Moerke	Westby
Fleck	Mollet	Wolf, McIntosh
Forseth	Monson	Wolf, Morton
Frank	Mork	Wollitz
Fraser	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker

Those voting in the negative were:  
Mortenson

Absent and not voting:

Dalzell	Hegge	Schimke
Graham	Olson, Bowman	Shockman
Grenier	Saumur	Sticka

So the bill passed, as amended, and the title was agreed to and the emergency clause was declared carried.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report to Senate Bill No. 194.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on House Bills Nos. 21, 114, 288 and 48.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Section 26-2519 of the North Dakota Revised Code of 1943, Relating to the Expense Fund; Credits To; Levies For Benevolent Societies.

Was 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, 18; absent and not voting, 2.

Those voting in the affirmative were:

Acheson	Haag	Ostgulen
Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Halvorson	Rohrer
Arndt	Haugen	Sailer
Bagge	Heckman	Sandness
Baumgartner	Hegge	Saumur
Belzer	Herk	Schlafmann
Bjella	Hildre	Schmalenberger
Blair	Hofstrand	Schmidt, Logan
Bolmeier	Isaak	Schmidt, Morton
Boucher	Jennings	Schnell
Brady	Johnson, Cass	Schwartz
Bubel	Johnson, Richland	Sellens

Burau	Klefstad	Severson
Bymers	Langley	Shockman
Callahan	Leet	Skaar
Dalzell	Levin	Stair
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Luick	Stormon
Engel	Lvsne	Symington
Esterby	McInnes	Thompson, Griggs
Falconer	Moerke	Thompson, Rich'nd
Fitch	Mollet	Wambheim
Fleck	Monson	Welk
Forseth	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Grenier	Olson, Bowman	
Those voting in the negative were:		
Anderson	Haugland	Seibel
Benno	Hogoboom	Sharpe
Collette	Hovey	Smart
Crockett	Larson	Still
Drovdal	Maher	Tuff
Ekren	Schimke	Westby

Absent and not voting:

Graham Moe

So the bill passed and the title was agreed to.

Rep. Fitch changed his vote from "no" to "aye" for the purpose of reconsideration.

The Speaker ruled that no 'notice for reconsideration' would hold over beyond the end of the day.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee, on Senate Bill No. 69, Senators O'Brien, Bridston and Platt.

W. J. TROUT, Secretary.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.

Was 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, 7; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Halvorson	Sailer
Arndt	Haugen	Sandness
Bagge	Haugland	Saumur
Baumgartner	Heckman	Schimke

Belzer	Hegge	Schlafmann
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogboom	Schwartz
Boucher	Hovey	Sellens
Brady	Isaak	Severson
Bubel	Jennings	Sharpe
Bureau	Johnson, Richland	Shockman
Bymers	Klefstad	Skaar
Collette	Langley	Smart
Dalzell	Larson	Stair
Devlin	Leet	Stanley
Dittmer	Levin	Sticka
Drovdal	Lindberg	Still
Drawz	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Thompson, Richl'nd
Falconer	Moe	Wambheim
Fitch	Moerke	Welk
Forseth	Mollet	Wolf, McIntosh
Frank	Mork	Wolf, Morton
Fraser	Mortenson	Wollitz
Fuglestad	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker
Grenier	Olson, Barnes	
Those voting in the negative were:		
Anderson	Monson	Seibel
Crockett	Ostgulen	Tuff
Fleck		
Absent and not voting:		
Callahan	Lillehaugen	Schmalenberger
Graham	Olson, Bowman	Westby
Johnson, Cass		

So the bill passed and the title was agreed to.

Rep. Allen of Grand Forks moved that the vote by which Senate Bill No. 53 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 29; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Grenier	Olson, Barnes
Allen, Grand Forks	Halcrow	Pyle
Allen, Pierce	Halvorson	Rohrer
Arndt	Haugen	Sailer
Bagge	Haugland	Sandness

Benno	Heckman	Saumur
Bjella	Hegge	Schlafmann
Blair	Herk	Schnell
Bolmeier	Hildre	Sellens
Boucher	Hofstrand	Severson
Brady	Hogoboom	Sharpe
Bubel	Hovey	Skaar
Burau	Johnson, Richland	Smart
Bymers	Klefstad	Stanley
Collette	Langley	Sticka
Dalzell	Leet	Still
Devlin	Luick	Stormon
Dittmer	Lysne	Symington
Drawz	McInnes	Thompson, Griggs
Ekren	Maher	Wambheim
Esterby	Moe	Westby
Fitch	Moerke	Wolf, Morton
Fleck	Mollet	Wollitz
Forseth	Nystrom	Yirchott
Fuglestad	Ohnstad	Mr. Speaker
Gainor		

Those voting in the negative were:

Anderson	Isaak	Schmidt, Morton
Baumgartner	Jennings	Schwartz
Belzer	Larson	Seibel
Crockett	Lindberg	Shockman
Drovdal	Mork	Stair
Engel	Mortenson	Thompson, Rich'nd
Falconer	Ostgulen	Tuff
Frank	Schimke	Welk
Fraser	Schmalenberger	Wolf, McIntosh
Haag	Schmidt, Logan	

Absent and not voting:

Callahan	Levin	Monson
Graham	Lillehaugen	Olson, Bowman
Johnson, Cass		

So the bill as amended passed 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. 211 was passed be reconsidered, which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "BB".

House Concurrent Resolution "EE".

House Concurrent Resolution "Z." A Concurrent Resolution Memorializing Congress, the President of the United States, and Chester Bowles, Administrator of The Office of Price Administration, to Permit the Sale of North Dakota Butter Within Ceiling Prices on the Basis of Its True Commercial Value, and to Cease Unjust Discrimination Against Butter Made in the State of North Dakota.

Which the Senate has adopted.

W. J. TROUT, Secretary.



Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 146.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 194.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 228.

W. J. TROUT, Secretary.

## SECOND READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "AA".

Was read the second time.

### ROLL CALL

The question being on the adoption of the Resolution, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Heckman	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugen	Saumur
Bagge	Haugland	Schimke
Baumgartner	Hegge	Schlafmann
Belzer	Herk	Schmalenberger
Benno	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schnell
Bolmeier	Hovey	Schwartz
Boucher	Isaak	Seibel
Brady	Jennings	Sellens
Bubel	Johnson, Cass	Severson
Burau	Johnson, Richland	Sharpe
Bymers	Klefstad	Shockman
Callahan	Langley	Skaar
Collette	Larson	Smart
Dalzell	Leet	Stair
Devlin	Lillehaugen	Stanley
Dittmer	Lindberg	Sticka
Drawz	Luick	Still
Drovdal	Lysne	Stormon
Ekren	McInnes	Symington
Engel	Maher	Thompson, Griggs
Esterby	Moe	Thompson, Richl'nd
Falconer	Moerke	Tuff
Fitch	Mollet	Wambheim
Fleck	Monson	Welk

Forseth	Mork	Westby
Frank	Mortenson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Fuglestad	Olson, Barnes	Yirchott
Grenier	Ostgulen	Mr. Speaker
Absent and not voting:		
Crockett	Levin	Olson, Bowman
Gainor	Ohnstad	Wollitz
Graham		

So the Resolution was adopted.

Rep. Saumur moved that the vote by which House Concurrent Resolution "AA" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution "CC".

Was read the second time.

#### ROLL CALL

The question being on the adoption of the Resolution, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Acheson	Halvorson	Rohrer
Allen, Grand Forks	Haugen	Sailer
Allen, Pierce	Haugland	Sandness
Anderson	Heckman	Saumur
Arndt	Hegge	Schimke
Bagge	Herk	Schlafmann
Baumgartner	Hildre	Schmalenberger
Belzer	Hofstrand	Schmidt, Logan
Benno	Hogoboom	Schmidt, Morton
Bjella	Hovey	Schnell
Blair	Isaak	Schwartz
Bolmeier	Jennings	Seibel
Boucher	Johnson, Cass	Sellens
Brady	Johnson, Richland	Severson
Bubel	Klefstad	Sharpe
Bureau	Langley	Shockman
Bymers	Larson	Skaar
Callahan	Leet	Smart
Collette	Levin	Stair
Dalzell	Lillehaugen	Stanley
Devlin	Lindberg	Sticka
Dittmer	Luick	Still
Drawz	Lysne	Stormon
Drovdal	McInnes	Symington
Ekren	Maher	Thompson, Griggs
Engel	Moe	Thompson, Rich <sup>nd</sup>
Esterby	Moerke	Tuff
Falconer	Mollet	Wambheim
Fitch	Monson	Welk
Fleck	Mork	Westby
Frank	Mortenson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Gainor	Olson, Barnes	Wollitz
Grenier	Ostgulen	Yirchott
Haag	Pyle	Mr. Speaker
Halcrow		

Absent and not voting:

Crockett	Fuglestad	Ohnstad
Forseth	Graham	Olson, Bowman

So the Resolution as amended was declared adopted.

Rep. Bolmeier moved that the vote by which House Concurrent Resolution "CC" was adopted be reconsidered and the motion to reconsider be laid on the table, 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 Engrossment respectfully report that:

House Bills Nos.: 4, 9, 10, 11, 12, 14, 26, 30, 31, 38, 53, 61, 80, 85, 87, 88, 104, 117, 118, 120, 139, 142, 144, 153, 156, 159, 181, 186, 189, 201, 205, 208, 214, 215, 217, 218, 221, 269, 270 and 275

Were delivered to the Governor for his approval at the hour of 10:20 p.m. o'clock March 2, 1945.

REP. LEET, Chairman.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Which was requested by the House in error.

KENNETH L. MORGAN, Chief Clerk.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 172.

Strike out all of lines 28 to 35 inclusive and insert in lieu thereof the following:

The emergency transportation anywhere in this state, of grain, seed, feed, farm machinery, poultry, livestock, dairy or other perishable produce: (1) between the farm where the same may be raised, or produced; and the market where the same may be sold, stored, or otherwise disposed of; (2) between the market where the same may be purchased or acquired and the farm where the same may be used, processed or consumed; (3) between the farm where the same may be raised or produced and the farm where the same may be used, processed or consumed, provided, however, that

the person for whom such transportation service is furnished shall have obtained a written agreement from, and signed by, the nearest licensed Special or Agricultural carrier to the effect that such licensed motor carrier is unable to furnish such transportation service within 48 hours from the time, the application for such transportation is made."

In line 13 of the original bill correct the spelling of the word "further".

Rep. Schnell moved that the House do not concur in the Senate amendments to House Bill No. 172, which motion prevailed.

Rep. Schnell moved that a Conference Committee be appointed on House Bill No. 172, which motion prevailed.

The Speaker appointed Reps. Schnell, Bagge and Wolf of McIntosh.

#### House Bill No. 1.

In line 66, of the original bill, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 67, strike out the figures 12,840.00 and insert in lieu thereof the figures 15,000.00.

In line 69, strike out the figures 3,500.00 and insert in lieu thereof the figures 4,500.00.

In line 73, strike out the figures 29,440.00 and insert in lieu thereof the figures 33,200.00.

In line 88, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 95, strike out the figures 48,300.00 and insert in lieu thereof the figures 48,900.00.

In line 107, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 108, strike out the figures 32,540.00 and insert in lieu thereof the figures 36,000.00.

After line 114, add the following new line:

Maintenance of equipment.....400.00

In line 115, strike out the figures 49,790.00 and insert the figures 53,850.00.

In line 119, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 121, strike out the figures 8,400.00 and insert in lieu thereof the figures 12,000.00.

In line 126, strike out the figures 1,000.00 and insert in lieu thereof the figures 1,500.00.

In line 131, strike out the figures 61,200.00 and insert in lieu thereof the figures 65,900.00.

In line 156, strike out the figures 3,000.00 and insert in lieu thereof the figures 10,000.00.

In line 158, strike out the figures 58,964.00 and insert in lieu thereof the figures 65,964.00.

In line 162, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00

In line 165, strike out the figures 15,000.00 and insert in lieu thereof the figures 16,000.00.

In line 170, strike out the figures 39,695.00 and insert in lieu thereof the figures 41,925.00.

In line 189, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 190, strike out the figures 9,000.00 and insert in lieu thereof the figures 12,000.00.

In line 192, strike out the figures 3,150.00 and insert in lieu thereof the figures 9,150.00.

In line 197, strike out the figures 34,750.00 and insert in lieu thereof the figures 44,350.00.

In line 205, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 206, strike out the figures 28,000.00 and insert in lieu thereof the figures 30,000.00.

In line 213, strike out the figures 52,800.00 and insert in lieu thereof the figures 55,400.00.

In line 223, strike out the figures 100.00 and insert in lieu thereof the figures 150.00.

In line 226, strike out the figures 12,910.00 and insert in lieu thereof the figures 12,960.00.

In line 264, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 267, strike out the figures 6,800.00 and insert in lieu thereof the figures 7,800.00.

In line 269, strike out the figures 20,000.00 and insert in lieu thereof the figures 26,000.00.

In line 270, strike out the figures 2,000.00 and insert in lieu thereof the figures 3,000.00.

In line 272, strike out the figures 12,000.00 and insert in lieu thereof the figures 15,000.00.

In line 275, strike out the figures 123,636.00 and insert in lieu thereof the figures 134,236.00.

In line 279, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 286, strike out the figures 5,000.00 and insert in lieu thereof the figures 10,000.00.

In line 289, strike out the figures 319,400.00 and insert in lieu thereof the figures 325,000.00.

In line 339, strike out the figures 10,000.00 and insert in lieu thereof the figures 6,500.00.

In line 340, strike out the figures 500.00 and insert in lieu thereof the figures 300.00.

In line 342, strike out the figures 3,360.00 and insert in lieu thereof the figures 2,360.00.

In line 344, strike out the figures 20,000.00 and insert in lieu thereof the figures 15,300.00.

In line 353, strike out the figures 6,000.00 and insert in lieu thereof the figures 4,800.00.

In line 361, strike out the figures 39,740.00 and insert in lieu thereof the figures 38,540.00.

In line 373, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 374, strike out the figures 8,640.00 and insert in lieu thereof the figures 10,800.00.

In line 379, strike out the figures 22,790.00 and insert in lieu thereof the figures 25,550.00.

In line 418, strike out the figures 8,400.00 and insert in lieu thereof the figures 10,000.00.

In line 423, strike out the figures 30,000.00 and insert in lieu thereof the figures 28,000.00.

In line 429, strike out the figures 3,000.00 and insert in lieu thereof the figures 1,000.00.

In line 430, strike out the figures 148,650.00 and insert in lieu thereof the figures 146,250.00.

In line 442, strike out the figures 8,400.00 and insert in lieu thereof the figures 9,000.00.

In line 443, strike out the figures 5,400.00 and insert in lieu thereof the figures 6,000.00.

In line 448, strike out the figures 500.00 and insert in lieu thereof the figures 700.00.

In line 454, strike out the figures 47,640.00 and insert in lieu thereof the figures 49,040.00.

In line 457, strike out the word Physically and insert the word "Disabled".

In line 458, strike out the word Handicapped.

In line 459, after the word Funds and the period insert the word "No".

In line 460, strike out the figures 50,000.00 and insert in lieu thereof the figures 56,150.00.

After line 460, add the following line:

Civilian Vocational Education.....3,850.00.

In line 461, strike out the figures 50,000.00 and insert in lieu thereof the figures 60,000.00.

In line 462, strike out the figures 2,365,007.00 and insert in lieu thereof the figures 2,421,037.00.

Renumber the lines.

Rep. Johnson of Cass moved that the House do not concur in the Senate amendments to House Bill No. 1, which motion prevailed.

Rep. Johnson of Cass moved that a Conference Committee be appointed on House Bill No. 1, which motion prevailed.

The Speaker appointed Reps. Johnson of Cass, Collette and Stair.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 1.  
Senate Bill No. 168.  
Senate Bill No. 203.

W. J. TROUT, Secretary.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:  
House Concurrent Resolution "AA".

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 75.

In line 25 of the printed Bill starting with the word "with" strike out the rest of the line; strike out all of line 26; strike out all of Section 1; and amend the Title by striking out lines 3, 4 and 5 and the words "such system" in line 6.

Rep. Haugen moved that the House concur in the Senate Amendments to House Bill No. 75.

Rep. Lillehaugson moved that further consideration of House Bill No. 75 be indefinitely postponed, which motion was lost.

The question was on the motion of Rep. Haugen, which motion prevailed.

Rep. Fuglestad moved that the rules be suspended and House Bill No. 75 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 75; nays, 25; absent and not voting, 12.

Those voting in the affirmative were:

Acheson	Forseth	Pyle
Allen, Grand Forks	Fuglestad	Sailer
Allen, Pierce	Gainor	Sandness
Anderson	Grenier	Saumur
Arndt	Halcrow	Schlafmann
Bagge	Haugen	Schmalenberger
Benno	Haugland	Schnell
Bjella	Heckman	Seibel
Blair	Herk	Sellens
Bolmeier	Hildre	Severson
Boucher	Hofstrand	Sharpe
Bubel	Hogoboom	Skaar
Burau	Hovey	Smart
Bymers	Johnson, Cass	Stair
Callahan	Johnson, Richland	Stanley
Collette	Langley	Sticka
Dalzell	Leet	Still
Devlin	Levin	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Ekren	McInnes	Wambheim
Esterby	Maher	Westby

Falconer	Nystrom	Wollitz
Fitch	Ohnstad	Yirchott
Fleck	Olson, Barnes	Mr. Speaker
Those voting in the negative were:		
Baumgartner	Lillehaugen	Schmidt, Logan
Engel	Lindberg	Schmidt, Morton
Frank	Moe	Schwartz
Fraser	Moerke	Thompson, Rich'nd
Haag	Mollet	Tuff
Halvorson	Mork	Welk
Hegge	Ostgulen	Wolf, McIntosh
Isaak	Rohrer	Wolf, Morton
Jennings		
Absent and not voting:		
Belzer	Graham	Mortenson
Brady	Klefstad	Olson, Bowman
Crockett	Larson	Schimke
Dittmer	Monson	Shockman

So the bill as amended passed and the title was agreed to.

Rep. Sticka moved that the vote by which House Bill No. 75 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 172 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Schnell, Bagge and Wolf of McIntosh.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Johnson of Cass, Stair and Collette.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 75.

KENNETH L. MORGAN, Chief Clerk.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 147.

In the Title of the Bill after the word "sale" strike the word "of" and insert in lieu thereof the following: "or delivery of beer, alcohol and"

Line 1 of Section 1 after the word "sell" strike the word "any" and insert in lieu thereof the following: "or deliver any beer, alcohol or".



Rep. Halcrow moved that the House concur in the Senate amendments to House Bill No. 147, which motion prevailed.

Rep. Halcrow moved that the rules be suspended and House Bill No. 147 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 147. A Bill for an Act Prohibiting Sale or Delivery of Beer, Alcohol and Alcoholic Beverages to Certain Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 68; nays, 27; absent and not voting, 17.

Those voting in the affirmative were:

Allen, Grand Forks	Haugland	Pyle
Allen, Pierce	Heckman	Sailer
Bagge	Herk	Sandness
Benno	Hildre	Saumur
Bjella	Hofstrand	Schlafmann
Blair	Hogboom	Schnell
Bymers	Hovey	Sellens
Callahan	Johnson, Richland	Severson
Collette	Klefstad	Sharpe
Dalzell	Langley	Skaar
Devlin	Leet	Smart
Drawz	Levin	Stanley
Drovdal	Lillehaugen	Still
Ekren	Lindberg	Stormon
Engel	Luick	Symington
Esterby	Lysne	Thompson, Griggs
Falconer	McInnes	Thompson, Rich'nd
Fitch	Moe	Wambheim
Fleck	Mollet	Westby
Forseth	Nystrom	Wollitz
Fuglestad	Ohnstad	Yirchott
Halcrow	Olson, Barnes	Mr. Speaker
Haugen	Ostgulen	

Those voting in the negative were:

Acheson	Fraser	Schmidt, Logan
Anderson	Grenier	Schmidt, Morton
Arndt	Haag	Seibel
Baumgartner	Isaak	Stair
Boucher	Jennings	Sticka
Brady	Maher	Tuff
Bubel	Moerke	Welk
Bureau	Mork	Wolf, McIntosh
Frank	Rohrer	Wolf, Morton

Absent and not voting:

Belzer	Halvorson	Olson, Bowman
Bolmeier	Hegge	Schimke
Crockett	Johnson, Cass	Schmalenberger
Dittmer	Larson	Schwartz

Gainor  
Graham

Monson  
Mortenson

Shockman

So the bill was lost.

Rep. Wolf of McIntosh moved that the vote by which House Bill No. 147 was lost be reconsidered and the motion to reconsider be laid on the table, which motion lost.

Rep. Arndt moved that the vote by which House Bill No. 147 was lost be reconsidered, which motion prevailed.

Rep. Fitch moved that action on House Bill No. 147 be deferred, which motion prevailed.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 7.  
House Bill No. 20.  
House Bill No. 23.  
House Bill No. 28.  
House Bill No. 44.  
House Bill No. 105.  
House Bill No. 123.  
House Bill No. 134.  
House Bill No. 195.  
House Bill No. 196.  
House Bill No. 197.  
House Bill No. 259.  
House Bill No. 267.  
House Bill No. 219.  
House Bill No. 276.  
House Bill No. 277.  
House Bill No. 283.  
House Bill No. 285.

House Concurrent Resolution S.

And the Speaker signed the same in the presence of the House.

Rep. Johnson of Richland moved that the House do now recess subject to the call of the Chair, which motion prevailed.

The House was called to order pursuant to recess taken, Speaker Bergesen presiding.

Rep. Johnson of Richland moved that the rules be suspended and Senate Bills Nos. 211, 212 and 213 be placed on second reading and final passage, which motion prevailed.

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

Rep. Johnson of Richland demanded a call of the House.

The Sergeant-at-Arms was instructed to close the doors and the roll was called.

All members were present except Reps. Olson of Bowman, Mollet and Wambheim.

Rep. Johnson of Richland moved that the Call of the House be dispensed with, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 14; absent and not voting, 3.

Those voting in the affirmative were:

Acheson	Gainor	Ohnstad
Allen, Grand Forks	Graham	Olson, Barnes
Allen, Pierce	Grenier	Ostgulen
Anderson	Halcrow	Pyle
Arndt	Halvorson	Rohrer
Bagge	Haugen	Sailer
Belzer	Haugland	Sandness
Benno	Heckman	Saumur
Bjella	Hegge	Schimke
Blair	Herk	Schlafmann
Bolmeier	Hildre	Schmalenberger
Boucher	Hofstrand	Schnell
Brady	Hogoboom	Seibel
Bubel	Hovey	Sellens
Burau	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Callahan	Klefstad	Shockman
Collette	Langley	Skaar
Crockett	Larson	Smart
Dalzell	Leet	Stair
Devlin	Levin	Stanley
Dittmer	Lillehaugen	Sticka
Drawz	Lindberg	Still
Drovdal	Luick	Stormon
Ekren	Lysne	Symington
Engel	McInnes	Thompson, Griggs
Esterby	Maher	Tuff
Fitch	Moe	Westby
Fleck	Moerke	Wollitz
Forseth	Monson	Yirchott
Fraser	Mortenson	Mr. Speaker
Fuglestad	Nystrom	

Those voting in the negative were:

Baumgartner	Jennings	Thompson, Rich'nd
Falconer	Mork	Welk
Frank	Schmidt, Logan	Wolf, McIntosh
Haag	Schmidt, Morton	Wolf, Morton
Isaak	Schwartz	

Absent and not voting:

Mollet	Olson, Bowman	Wambheim
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So the bill as amended passed and the title was agreed to and the emergency clause was declared carried.

Rep. Byemers moved that the vote by which Senate Bill No. 211 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores

in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943, as Amended by Chapter 15 of the Special Session Laws of 1944, Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial; and Declaring an Emergency.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict; and Declaring an Emergency.

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund.

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on the Postwar Military Establishment and the Status of the National Guard.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certificates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 15-4014 of the North Dakota Revised Code of 1943, Relating to the Amount of High School Tuition, the Amount of Payments, and the Tuition of Students Attending School in a Foreign School.

House Bill No. 134. A Bill for an Act Specifying the Term, Interest and Payment of Farm Loans Made by the Commissioner of University and School Lands; and Amending and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of 1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

## SECOND READING OF SENATE BILLS

Senate Bill No. 212. A Bill for an Act to appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring and 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, 72; nays, 37; absent and not voting, 3.

Those voting in the affirmative were:

Allen, Grand Forks	Fuglestad	Nystrom
Allen, Pierce	Gainor	Ohnstad
Arndt	Grenier	Olson, Barnes
Bagge	Halcrow	Pyle
Benno	Halvorsen	Sailer
Bjella	Haugen	Sandness
Blair	Haugland	Saumur
Bolmeier	Heckman	Schlafmann
Boucher	Hegge	Schnell
Brady	Herk	Sellens
Bubel	Hildre	Severson
Bureau	Hofstrand	Sharpe
Bymers	Hogoboom	Skaar
Callahan	Hovey	Smart
Collette	Johnson, Cass	Stanley
Dalzell	Johnson, Richland	Sticka
Devlin	Klefstad	Still
Dittmer	Langley	Stormon
Drawz	Leet	Symington
Ekren	Luick	Thompson, Griggs
Esterby	Lysne	Westby
Fitch	McInnes	Wollitz
Fleck	Maher	Yirchott
Forseth	Moe	Mr. Speaker

Those voting in the negative were:

Acheson	Jennings	Schmalenberger
Anderson	Larson	Schmidt, Logan
Baumgartner	Levin	Schmidt, Morton
Belzer	Lillehaugen	Schwartz
Crockett	Lindberg	Seibel
Drovdal	Moerke	Shockman
Engel	Monson	Stair
Falconer	Mork	Thompson, Rich'nd
Frank	Mortenson	Tuff
Fraser	Ostgulen	Welk
Graham	Rohrer	Wolf, McIntosh
Haag	Schimke	Wolf, Morton
Isaak		

Absent and not voting:

Mollet	Olson, Bowman	Wambheim
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So the bill as amended passed and the title was agreed to and the emergency clause was declared lost.

Rep. Blair moved that the vote by which Senate Bill No. 212 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Graham: "I wish to explain my vote. The committee which reported on the Erickson matter brought in a report

that the matters which they had found at fault should be submitted to the Attorney General to see whether or not there had been any violation of law. Whether or not they submitted the matter to the Attorney General I do not know and up to this time no one has offered any explanation as to why they did not do it that way, the cheapest way and the best way. This will be nothing but a political trial as all trials of this kind are and I vote "No".

Senate Bill No. 213. A Bill for an Act to Provide for the Taking of Depositions of Witnesses in Impeachment Proceedings; to Compel the Attendance of Witnesses and the Production of Records Before the Officer Before Whom Such Depositions May Be Taken; to Fix Penalties for Refusal; 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, 75; nays, 33; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Fuglestad	Monson
Allen, Grand Forks	Gainor	Nystrom
Allen, Pierce	Grenier	Ohnstad
Arndt	Halcrow	Olson, Barnes
Bagge	Halvorson	Pyle
Benno	Haugen	Sailer
Bjella	Haugland	Sandness
Blair	Heckman	Saumur
Bolmeier	Hegge	Schlafmann
Boucher	Herk	Schnell
Brady	Hildre	Sellens
Bubel	Hofstrand	Severson
Bureau	Hogoboom	Sharpe
Bymers	Hovey	Skaar
Callahan	Johnson, Cass	Stair
Collette	Johnson, Richland	Stanley
Dalzell	Klefstad	Sticka
Devlin	Langley	Still
Dittmer	Leet	Stormon
Drawz	Lindberg	Symington
Ekren	Luick	Thompson, Griggs
Esterby	Lysne	Westby
Fitch	Maher	Wollitz
Fleck	Moe	Yirchott
Forseth	McInnes	Mr. Speaker

Those voting in the negative were:

Anderson	Isaak	Schmalenberger
Baumgartner	Jennings	Schmidt, Logan
Belzer	Larson	Schmidt, Morton
Crockett	Levin	Schwartz
Drovdal	Lillehaugen	Seibel
Engel	Moerke	Shockman
Falconer	Mork	Thompson, Richl'nd
Frank	Mortenson	Tuff
Fraser	Ostgulen	Welk
Graham	Rohrer	Wolf, McIntosh
Haag	Schimke	Wolf, Morton

**Absent and not voting:**

Mollet                      Smart                      Wambheim  
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 Senate Bill No. 213 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 2, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "AA".

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 1:

Senators: Young, Day and Stucke.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 172:

Senators: Raschko, Wog and Streibel.

W. J. TROUT, Secretary.

**MESSAGES TO THE SENATE**

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 213. A Bill for an Act to Provide for the Taking of Depositions of Witnesses in Impeachment Proceedings; to Compel the Attendance of Witnesses and the Production of Records Before the Officer Before Whom Such Depositions May Be Taken; to Fix Penalties for Refusal; and Declaring an Emergency.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 212. A Bill for an Act to appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring and Emergency.

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.



House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Concurrent Resolution "CC".

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 29.

In line 5 of the engrossed Bill strike out the figure \$3,400,000.00 and insert in lieu thereof the figure \$4,400,000.00; in line 10 strike out the figure \$3,400,000.00 and insert in lieu thereof the figure \$4,400,000.00; in line 11 strike out the figure \$66,725.00 and insert in lieu thereof \$74,725.00; in line 16 strike out the figure \$42,000.00 and insert in lieu thereof the figure \$50,000.00; and in line 28 strike out the figure \$66,725.00 and insert in lieu thereof the figure \$74,725.00.

Rep. Johnson of Cass moved that the House do not concur in the Senate amendments to House Bill No. 29.

Rep. Graham offered as a substitute motion that the House concur in the Senate amendments to House Bill No. 29.

Rep. Graham demanded a roll call.

#### ROLL CALL

The question being on the motion of Rep. Graham, the roll was called and there were ayes, 47; nays, 60; absent and not voting, 5.

Those voting in the affirmative were:

Acheson	Halvorson	Schimke
Anderson	Haugen	Schlafmann
Baumgartner	Hegge	Schmalenberger
Belzer	Isaak	Schmidt, Logan
Bubel	Jennings	Schmidt, Morton
Crockett	Larson	Schnell
Devlin	Levin	Schwartz
Drovdal	Lillehaugen	Seibel
Engel	Lindberg	Shockman
Esterby	Maher	Stair
Falconer	Moerke	Thompson, Rich'nd
Forseth	Monson	Tuff
Frank	Mork	Welk
Fraser	Mortenson	Wolf, Morton
Graham	Ohnstad	Wolf, McIntosh
Haag	Rohrer	

Those voting in the negative were:

Allen, Grand Forks	Gainor	Olson, Barnes
Allen, Pierce	Grenier	Pyle
Arndt	Halcrow	Sailer
Bagge	Haugland	Sandness
Benno	Heckman	Saumur
Bjella	Herk	Sellens
Blair	Hildre	Severson
Bolmeier	Hofstrand	Sharpe
Brady	Hogoboom	Skaar
Bureau	Hovey	Smart
Bymers	Johnson, Cass	Stanley
Callahan	Johnson, Richland	Sticka

Collette	Klefstad	Still
Dalzell	Langley	Stormon
Dittmer	Leet	Symington
Drawz	Luick	Thompson, Griggs
Ekren	Lysne	Westby
Fitch	McInnes	Wollitz
Fleck	Moe	Yirchott
Fuglestad	Nystrom	Mr. Speaker
Absent and not voting:		
Boucher	Mollet	Wambheim
Olson, Bowman	Ostgulen	

So the motion was lost.

Rep. Halcrow: I am voting "No" on this measure for the simple reason that the Welfare set-up does not want this money. It will throw their whole structure out of line and I am voting "No" on that account.

Rep. Still: I want to explain my vote. I am going to vote "No" on this measure because the amount is over what is needed and furthermore the appropriations as made for the maintenance of these offices have been cut so low it would be impossible to administer even if they had to.

The question was on the motion of Rep. Johnson of Cass that the House do not concur in the Senate amendments to House Bill No. 29, which motion prevailed.

Rep. Graham moved that a Conference Committee be appointed on House Bill No. 29.

Rep. Johnson of Cass offered as a substitute motion that House Bill No. 29 be returned to the Senate without action.

On a voice vote the chair was in doubt.

A rising vote disclosed 59 voting for and 43 voting against, so the motion prevailed.

Rep. Bubel raised the question as to whether the procedure on House Bill No. 29 was legal.

The Speaker ruled it was legal.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 2.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 69.

W. J. TROUT, Secretary.

Rep. Johnson of Cass moved that the House Journal of February 27th, page 938, be amended by inserting in line 2 after the word "that" the words "an enrolled copy of", which motion prevailed.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the

Senate has concurred in the House amendment to Senate Bill No. 211.

W. J. TROUT, Secretary.

Rep. Saumur: I arise at this time to put a motion to this House. No doubt, all of you members are aware of the passing of our beloved John Moses. Therefore, at this time Mr. Speaker, I move that the Speaker appoint a committee of three to confer with a like committee from the Senate to arrange for a joint memorial service for the late John Moses.

The Speaker appointed Reps. Saumur, Sailer and Levin.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Which the House returns to the Senate without action. The House has refused to concur in the Senate amendments.

KENNETH L. MORGAN, Chief Clerk.

Rep. Arndt moved that action be taken on House Bill No. 147, which motion prevailed.

House Bill No. 147. A Bill for an Act Prohibiting Sale or Delivery of Beer, Alcohol and Alcoholic Beverages to Certain Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

Was read a second time.

Rep. Fuglestad demanded a call of the House.

The Sergeant-at-Arms was instructed to close the doors and the roll was called.

All members were present except Reps. Olson of Bowman, Mollet, Wambheim and Ostgulen.

Rep. Lillehaugen moved that the Call of the House be dispensed with, which motion prevailed.

Rep. Saumur moved the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 21; absent and not voting, 4.

Those voting in the affirmative were:

Acheson	Graham	Mortenson
Allen, Grand Forks	Grenier	Nystrom
Allen, Pierce	Haag	Ohnstad
Anderson	Halcrow	Olson, Barnes
Arndt	Halvorson	Pyle
Bagge	Haugen	Rohrer
Benno	Haugland	Sailer
Bjella	Heckman	Sandness
Blair	Hegge	Saumur
Bolmeier	Herk	Schlafmann
Brady	Hildre	Schnell

Burau	Hofstrand	Sellens
Bymers	Hogoboom	Severson
Callahan	Hovey	Sharpe
Collette	Johnson, Cass	Shockman
Dalzell	Johnson, Richland	Skaar
Devlin	Klefstad	Smart
Dittmer	Langley	Stair
Drawz	Larson	Stanley
Drovdal	Leet	Still
Ekren	Levin	Stormon
Engel	Lillehaugen	Symington
Esterby	Lindberg	Thompson, Griggs
Fitch	Luick	Thompson, Richl'nd
Fleck	Lysne	Tuff
Forseth	McInnes	Westby
Fraser	Moe	Wollitz
Fuglestad	Monson	Yirchott
Gainor	Mork	Mr. Speaker
Those voting in the negative were:		
Baumgartner	Isaak	Schmidt, Morton
Belzer	Jennings	Schwartz
Boucher	Maher	Seibel
Bubel	Moerke	Sticka
Crockett	Schimke	Welk
Falconer	Schmalenberger	Wolf, McIntosh
Frank	Schmidt, Logan	Wolf, Morton
Absent and not voting:		
Mollet	Ostgulen	Wambheim
Olson, Bowman		

So the bill as amended 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. 147 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Falconer: I wish to explain my vote. I voted "Aye" on this bill the other day, but I am going to vote "No" on it now. If the members of this legislature are going to require the old people to starve to death I would just as soon see the young people drink themselves to death.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 147.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:  
House Concurrent Resolution "CC".

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the

Senate has concurred in the House amendment to Senate Bill No. 212.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

With the request that the House appoint a Conference Committee.

W. J. TROUT, Secretary.

The Articles of Impeachment as presented by the Board of Managers and which were previously read, were before the House.

Rep. Falconer moved that the Articles of Impeachment be adopted.

Rep. Bubel moved that the Articles of Impeachment be amended as follows:

On page 14 strike out line 3 in its entirety and all of line 4 down to and including the word "and".

On a voice vote the Chair was in doubt.

A rising vote disclosed 43 voting for and 52 voting against, so the motion was declared lost.

The question was on the adoption of the Articles of Impeachment, which motion prevailed.

Rep. Johnson of Richland moved that the vote by which the Articles of Impeachment were adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Graham moved that a Conference Committee be appointed on House Bill No. 29, which motion prevailed.

The Speaker appointed Reps. Johnson of Cass, Graham and Saumur.

#### REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 2, have had the same under consideration and recommend:

Senate concur with the House amendments to Senate Bill No. 2.

For the Senate:

W. J. BRAUN  
M. R. YOUNG  
J. B. BRIDSTON

For the House:

A. W. LUICK  
ASLE BJELLA  
RAY SCHNELL

Rep. Luick moved that the report be adopted, which motion prevailed and the report was adopted.

#### SEVENTH ORDER OF BUSINESS

Rep. Fitch: Mr. Speaker, with your permission I am going to address my remarks to the Chief Clerk of the House.

Mr. Chief Clerk, I stand before you not as a representative of this assembly. I stand before you as a duly elected representative of the employees of this House and I presume they chose me because I think I have nominated you for every office you have ever held in this House. You started, Mr. Chief Clerk, as a page like Beverly Young although you were not as good looking and you succeeded from there on to Bill Clerk, Assistant Chief Clerk, then Chief Clerk and I have every reason to believe you will be a member of this House someday, then Speaker, then Lieutenant Governor, then Governor, and beyond that to positions of higher trust. On behalf of the employees, they present you with this gift and their sincere desire is that you first use this to sign House Concurrent Resolution "H", the increase in pay for the employees.

Kenneth Morgan: Mr. Fitch and the employees of the House who have worked with me, I want to thank you one and all. I know that I have had the best of cooperation from the employees and every consideration from the members of the House whenever possible. Again, I want to thank the employees and you, Mr. Fitch, for your kind remarks.

Rep. Burau moved that the remarks be printed in the Journal, which motion prevailed.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

Which the Senate has amended.

W. J. TROUT, Secretary.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No 17 to act with a like committee from the Senate, Reps. Sailer, Symington and Sticka.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on House Bill No. 29 to act with a like committee from the Senate, Reps. Johnson of Cass, Graham and Saumur.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

Report of Board of Managers in the matter of the impeachment of Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota.

Articles of Impeachment against Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota.

Which the House has adopted.

KENNETH L. MORGAN, Chief Clerk.

Rep. Bolmeier moved that the House recess for 30 minutes to reconvene in Joint Session with the Senate, which motion prevailed.

The Joint Assembly was called to order, Speaker Bergesen presiding.

Rep. Saumur: I move that the presiding officer appoint a committee of three to escort the Rev. G. W. Stewart, the honorable George F. Shafer and the Honorable Fred G. Aandahl to the rostrum, which motion prevailed.

The Speaker appointed Senator Stucke, Reps. Sailer and Saumur.

Rev. G. W. Stewart was escorted to the rostrum.

Hon. George F. Shafer was escorted to the rostrum.

His Excellency, the Honorable Fred G. Aandahl, Governor of North Dakota, was escorted to the rostrum.

Speaker Bergesen: Members of the Senate and the House of Representatives of the State of North Dakota and friends assembled here and on the air. I present to you his Excellency the Honorable Fred G. Aandahl, Governor of the State of North Dakota who will in turn introduce the Speaker.

Governor Aandahl: Mr. Speaker, Members of the 29th Legislative Assembly and Friends: We have paused this afternoon in memory of the late John Moses. It is my privilege at this time to introduce the Honorable George F. Shafer, former Governor of the State of North Dakota, who will deliver the memorial address.

Mr. Shafer: Governor Aandahl, Speaker Bergesen, Members of the Legislative Assembly and Fellow Citizens. I rise to the task that I am about to perform and which was assigned to me just a few minutes ago with a heavy heart and with a deep and profound sense of sadness. Although most of us who have been watching the news over the radio and through the press in the last few weeks have been sensible of the danger that seemed to be confronting our late distinguished friend the former Governor and former Senator from North Dakota. Many of us feared the worst and yet when the news of his passing came to us over the waves of the air this morning, I was conscious, as I am sure all of you who had the good fortune to be associated with him in the performance of public duties, in connection with the conduct of governmental affairs of North Dakota in the last few years, sensed the same sense of profound sadness and grief at his passing and as the people of North Dakota learn from hour to hour as they have and as they shall, of this tragic event, this sudden and unexplainable closing of the life of a great public servant, the spirit of sadness and

grief will prevail in the hearts of our people for many days and yet many weeks to come.

And so, it is not what I may say at this moment that will have any significance, it is the mood and the spirit in which the members of our state government and the people of the State pause to center their minds and their thoughts upon this magnificent personality and public character upon whose shoulder in the early morning of today the hand of the angel touched and called his spirit to the great beyond.

It was only yesterday seemingly that he was a part of us. Only a few days ago when he stood at the head of our state government and was our first citizen in state affairs and so when in point of time does his passing take place in reference to the time when he was our first citizen and chief executive that it would seem that he is and was a part of us, a part of our government, a part of our institution even today.

It was my very good fortune to have known the former Governor Moses for some 30 years. He was a student at the University in the College of Law shortly after I attended this home institution of ours. He was then completing his educational foundation for the professional career that was to be his for the next 30 years. Though we did not realize it at the time, we might have suspected it because of his energy, his strong personality and evident ambition, he was laying deep and well, back in those days, the foundation for the public career which came to him in later life.

In the intervening years I had come to know him as perhaps few have known him, although he had more personal friends than the average man even in public life has the privilege of enjoying. But over these years this personal relationship which I am so happy to testify to today became one of a deep and lasting friendship, always cordial, often intimate, always deep and sincere.

This afternoon when I think of the former governor, I think of him more in the light of a friend in that deep and personal and touching sense that no words can describe but each one of us can profoundly feel when an occasion such as this arises, when in the fullness of God's will, one of our friends is taken from this world and committed to another.

John Moses, as we all know, was not a native born citizen of the United States but, like a great many other pioneer Americans and loyal North Dakotans and great citizens, he was born in the land across the sea. Stirred with a deep and profound ambition and a desire for the blessings of American citizenship and to partake of the benefits of American opportunity, he came to our country and to our state when a boy of only 20 years old or thereabouts, some 40 years ago. It became necessary, of course, for him to learn our language, become accustomed to our laws and habits, to seek an education, and to become not only a naturalized American citizen but a complete and genuine American citizen of the highest order. He became a lawyer and in due time, came to the Western part of North Dakota and settled in Mercer County and there for 21 years he practiced his profession as a lawyer, as a country lawyer, serving the people



of our State who are a rural people who have their roots in a pioneer life and in pioneer conditions. The troubles and trials and difficulties of his clients and as a public servant all of the people of his county were his clients, he came to understand our State, its people, its institutions, its problems, and as the years went by he grew in mental and moral stature and arrived at the state of development in 1938 when he was called by the people of the State to the high office of chief executive.

We are all mindful of the circumstances under which he came to that high office. At the end of a period—a long period—during which our people and our state had seen many trials and troubles and tribulations, economic and other conditions were most unfavorable, John Moses stepped into that situation and met every requirement and every challenge of that high office in that difficult period.

I have had the good fortune to know all, I believe, of the chief executives of the State since the turn of the century and I am very sure that I am well within the bounds of a correct observation when I say that never in these 40 years has the State had a chief executive whose efforts to meet the responsibilities of his office was attended with more untiring energy, more unlimited effort, more inexhaustible endeavor than did John Moses undertake to fulfill all of the many and varied responsibilities of that office, concerning himself not only with the major task of that office which is the inclination of the average governor, I think, and without neglecting any of them, he undertook and to a large extent did, give personal, thoughtful and considerate attention to that great multitude of minor problems that come to the desk and to the lap of the governor; not the least of which is that wearing and difficult task of personally meeting and talking to hundreds of citizens who wait upon the governor in this highly democratic state of ours where the governor is accessible to everybody, the great and the near-great, the seeking and the sought; everybody feels that the governor is his servant. Every place and every community and almost every town in the State of North Dakota in the past six years was visited by Governor Moses in his official capacity or to attend some public or community occasion there that the people might have the opportunity to meet and know and present their problems to the Chief of the State. A man strong, apparently, in physique and unlimited energy, he put everything he had into the task of the office and I fear that he allowed his ambition and his zeal and his intense desire to leave nothing undone to fully meet all the responsibilities of the office that may lead to the breakdown of his health.

My friends, in thinking of and speaking about former Governor John Moses this afternoon, we cannot help but feel that it has been the good fortune of the people of the State of North Dakota to have had in these difficult years a man of his high character, his extraordinary energies, his tolerance, his broadmindedness and his statesmanlike attitude to discharge the high office of Governor of this State. Then this, too, is a very gratifying reflection as it comes to us as we think of the former Governor and late Senator that is, that undoubtedly, as the years went by from the time that he began his career as governor of the state until he

closed it on December 31, 1944, he not only grew in stature, in capacity, in character, in mentality steadily until he graduated from that office as one of the governors of this state in whom the people may well believe that he deserved to be ranked among the very best governors that North Dakota has ever had. Then, too, is it not a pleasant thought to recall that although in his political affiliations he belonged to what is in North Dakota regarded as the minority party, at the close of his six year term or three terms as Governor of the State with all of its political pitfalls and all of its difficulties—that the people of the State should have rewarded him and I use the term "rewarded" advisedly, to the election of the high office of United States Senator from North Dakota. I am very sure that his friends throughout the state would not regard the observation as out of harmony at least when made by me, one of his close friends, that his election to the Senate under the circumstances was a great personal compliment to him, and, that it was a profound expression of confidence on the part of the people of the State in his character, in his integrity and in his good faith and approval of his general attitude and of his service as the first citizen of our State, and that the factor of partisan views upon national questions was a minor factor, not a controlling factor at all; when such an event takes place in the history of a state, that the people without regard to the personal political views of the candidate, rise en masse and pay him the compliment of an election to the office of United States Senator. That situation is a great tribute not only to the benefactor of that decision or act of the electorate but it is a great tribute to the fair-mindedness and to the sense of gratitude and to the tolerance of the people of the State. In that situation, our distinguished former governor merited, in my humble judgment, the high compliment that he received and the people of the State showed profound appreciation of the character and qualities of this man as an individual when they paid him that great compliment.

If I may be permitted the intimate expression at this moment, may I say that on the last occasion that I had the privilege of visiting with the former governor in his office before he retired, I took the occasion to express in words more appropriate perhaps than those I have used at the moment under these distressing circumstances, my view of the reason why he had been rewarded with that new commission at the hands of the people of the State of North Dakota. I know from his response that he was profoundly sensible and deeply grateful to the people of the State of North Dakota for their expression of confidence in and approval of him in a personal way.

So my friends, in this humble and simple and sincere way this afternoon, we pay our solemn tribute to this man who served our State and our people so well. I profoundly believe that our recollections of him in the years to come will always be kindly, sincere and grateful—that we will look back upon his career and upon his service not only as a great service rendered to a great state and a great people but as a great inspiration to the young manhood and womanhood of North Dakota.

Rep. Sailer moved that a committee of two, namely Associate Justice Thomas J. Burke and Mr. Mark I. Forkner,

Chairman of the Board of Administration, be appointed to prepare a suitable memorial resolution to be sent to the Moses family, which motion prevailed.

#### MEMORIAL RESOLUTION

The tragic death of our Senator and former Governor, the Honorable John Moses, has removed the first citizen of the State from the realm of public service.

He brought to that service a forceful personality, a calm dignity, a tolerance and an understanding which enabled him to mold dissenting factions into a working unit, which under his leadership acted in state affairs for the good of all. He dedicated to that service a powerful physique and a boundless energy. His frankness, integrity and ability were universally recognized. Indeed, it has been given to few in the history of the State and Nation to be held so highly in the affection and respect of all men.

At this hour of crisis in the Nation's history when there is such need for extraordinary capacity, character and diligence in the public service his passing is an irreparable loss to the country which though his by adoption, was loved by him with a deep and glowing patriotism.

#### THEREFORE BE IT RESOLVED:

In gratitude for the great services which we have received at his hands, in recognition of the State's great loss and in honor of his memory this resolution be entered in the Journal of this Joint Session of the Legislative Assembly and an enrolled copy hereof, properly executed by the Lieutenant Governor and the Speaker of the House, be presented to Mrs. Moses.

Closing prayer was offered by Rev. G. W. Stewart of Mandan.

Rep. Bolmeier moved that the Joint Memorial Assembly be now dissolved, which motion prevailed.

The House was called to order following the Joint Assembly, Speaker Bergesen presiding.

Rep. Bolmeier moved that the remarks of the Joint Session be printed in the Journal, 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 Engrossment respectfully report that they have examined the following resolution:

House Concurrent Resolution "CC".

And find the same correctly Engrossed.

REP. LEET, Chairman.

Rep. Bureau 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:

House Concurrent Resolution "H".

House Concurrent Resolution "M".

House Concurrent Resolution "P".

Were delivered to the Secretary of State at the hour of 11:00 o'clock a. m., March 3, 1945.

REP. LEET, Chairman.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 58.

Rep. Johnson of Richland moved that House Bill No. 58 be indefinitely postponed, which motion prevailed.

Rep. Johnson of Richland moved that the vote by which House Bill No. 58 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 2.

In line 12 of the engrossed bill, strike out the figures 1,500.00 and insert in lieu thereof the figures 2,500.00.

In line 13, strike out the figures 17,000.00 and insert in lieu thereof the figures 16,000.00.

Rep. Allen of Grand Forks moved that the House concur in the Senate amendments to House Bill No. 2, which motion prevailed.

Rep. Allen of Grand Forks moved that the rules be suspended and House Bill No. 2 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Was read the second time.

#### ROLL CALL —

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Acheson	Gainor	Olson, Barnes
Allen, Grand Forks	Grenier	Ostgulen
Allen, Pierce	Haag	Pyle
Anderson	Halcrow	Rohrer
Arndt	Haugen	Schimke
Bagge	Haugland	Schlafmann
Baumgartner	Heckman	Schmalenberger
Belzer	Herk	Schmidt, Logan
Benno	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sellens
Bubel	Jennings	Sharpe
Bureau	Johnson, Richland	Skaar
Bymers	Klefstad	Stair
Collette	Langley	Smart
Crockett	Larson	Stanley
Dalzell	Levin	Sticka

Devlin	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Richl'nd
Esterby	Moe	Tuff
Falconer	Moerke	Welk
Fitch	Monson	Westby
Fleck	Mork	Wolf, McIntosh
Frank	Mortenson	Wolf, Morton
Fraser	Nystrom	Wollitz
Fuglestad	Ohnstad	Mr. Speaker
Absent and not voting:		
Bolmeier	Johnson, Cass	Sandness
Callahan	Leet	Saumur
Dittmer	Lysne	Severson
Forseth	Mollet	Shockman
Graham	Olson, Bowman	Wambheim
Halvorson	Sailer	Yirchott
Hegge		

So the bill as amended passed and the title was agreed to.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee Report on Senate Bill No. 2.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber

Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of House Bill No. 234.

W. J. TROUT, Secretary.

Rep. Johnson of Richland moved that the request of the Senate be granted, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives

Bismarck, March 2, 1945

Mr. President: I have the honor to return:

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary

of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

Which the Senate has requested.

KENNETH L. MORGAN, Chief Clerk.

The Speaker announced that the Conference Committee on House Bill No. 29 had been changed by Rep. Callahan replacing Rep. Johnson of Cass.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 121.

In the Title of the Bill at the end of the Title, after the word "Basis" strike out the period and insert a comma and the following language: "to amend and re-enact Section 15-4012, relating to the distribution of payments on a per pupil basis";

Strike out all of lines 63, 64, 65 down to and including line 91 and insert the following:

5851-6000 .....	\$ .50
5701-5850 .....	1.00
5551-5700 .....	1.50
5401-5550 .....	2.00
5251-5400 .....	2.50
5101-5250 .....	3.00
4951-5100 .....	3.50
4801-4950 .....	4.00
4651-4800 .....	4.50

4501-4650 .....	5.00
4351-4500 .....	5.50
4201-4350 .....	6.00
4051-4200 .....	6.50
3901-4050 .....	7.00
3751-3900 .....	7.50
3601-3750 .....	8.00
3451-3600 .....	8.50
3301-3450 .....	9.00
3151-3300 .....	10.00
3001-3150 .....	11.00
2851-3000 .....	12.00
2701-2850 .....	13.00
2551-2700 .....	14.00
2401-2550 .....	15.00
2251-2400 .....	16.00
2101-2250 .....	17.00
1951-2100 .....	18.00
1801-1950 .....	19.00
1800-or less .....	20.00

At the end of the bill insert the following:

Section 2. Section 15-4012 of the North Dakota Revised Code of 1943 is hereby amended and re-enacted to read as follows:

15-4012. DISTRIBUTION OF PAYMENTS ON PER PUPIL BASIS. Each school district shall receive one-half of the amount which the superintendent of public instruction has determined to be due to it immediately upon the completion of calculations. The balance of such amount shall be paid on or before April first of each year. When the school term in a district is one of less than nine months, the superintendent shall determine the percentage which such term for which the schools in such district actually are open bears to a nine month term, and such payments shall be only such percentage of the full payment permitted under section 15-4011. A school district which has levied taxes for general purposes during the previous year:

1. Within seven mills of its normal maximum levy, shall receive the full per pupil payment;
2. Within eight mills of its normal maximum levy, shall receive only seventy-five percent of the full per pupil payment;
3. Within nine mills of its normal maximum levy, shall receive only fifty percent of the full per pupil payment.
4. Within ten mills of its normal maximum levy, shall receive only twenty-five percent of the full per pupil payment;
5. Which are not within ten mills of its normal levy shall receive no per pupil payment from the fund.

The per pupil payments made to a school district shall not exceed fifty percent of the salaries paid by such district to the teachers thereof during the then current year. The state auditor shall make the per pupil payments on certificates issued by the superintendent of public instruction.

Renumber the lines.

Rep. Langley moved that the House concur in the Senate amendments to House Bill No. 121, which motion prevailed.

Rep. Langley moved that the rules be suspended and House Bill No. 121 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 121. A Bill for an Act to Amend and Re-enact Section 15-4011 of the North Dakota Revised Code of 1943, Relating to the Determination of Sums Due School Districts from the State Equalization Fund on Per Pupil Basis, to Amend and Re-enact Section 15-4012, Relating to the Distribution of Payments on a Per Pupil Basis.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Haugen	Sailer
Anderson	Haugland	Sandness
Arndt	Heckman	Schimke
Bagge	Hegge	Schlafmann
Baumgartner	Herk	Schmalenberger
Belzer	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schnell
Blair	Hovey	Schwartz
Boucher	Isaak	Seibel
Brady	Jennings	Sellens
Bubel	Johnson, Richland	Sharpe
Burau	Klefstad	Skaar
Bymers	Langley	Smart
Collette	Larson	Stair
Crockett	Leet	Stanley
Dalzell	Levin	Sticka
Devlin	Lillehaugen	Still
Drawz	Lindberg	Stormon
Drovdal	Luick	Symington
Ekren	McInnes	Thompson, Griggs
Engel	Maher	Thompson, Richl'nd
Esterby	Moe	Tuff
Falconer	Moerke	Welk
Fitch	Monson	Westby
Fleck	Mork	Wolf, McIntosh
Forseth	Mortenson	Wolf, Morton
Frank	Nystrom	Wollitz
Fraser	Ohnstad	Yirchott
Gainor	Olson, Barnes	Mr. Speaker
Grenier	Ostgulen	
Absent and not voting:		
Bolmeier	Halvorson	Saumur
Callahan	Johnson, Cass	Severson
Dittmer	Lysne	Shockman
Fuglestad	Mollet	Wambheim
Graham	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

Rep. Maher moved that the vote by which House Bill



No. 121 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**MESSAGE FROM THE SENATE**

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Concurrent Resolution "EE."

W. J. TROUT, Secretary.

Rep. Johnson of Richland moved that the request of the Senate be granted, which motion prevailed.

**MESSAGES TO THE SENATE**

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:  
House Concurrent Resolution "EE".

Which the Senate has amended as requested.

KENNETH L. MORGAN, Chief Clerk.  
House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 121.

KENNETH L. MORGAN, Chief Clerk.

**REPORT OF SELECT COMMITTEE**

The Conference Committee on House Bill No. 1 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1, have had the same under consideration and recommends the adoption of the Senate Amendments with the following exceptions:

Line 67—Strike out the figures "12,840.00" and insert in lieu thereof the figures "13,440.00".

Line 69—Strike out the figures "3,500.00" and insert in lieu thereof the figures "4,000.00".

Line 73—Strike out the figures "\$29,440.00" and insert in lieu thereof the figures "\$31,140.00".

Line 115—Strike out the figures "\$49,790.00" and insert in lieu thereof the figures "\$54,250.00".

Line 156—Strike out the figures "3,000.00" and insert in lieu thereof the figures "5,000.00".

Line 157 (numbered 158 in the Senate Amendment)—Strike out the figures "\$58,964.00" and insert in lieu thereof the figures "\$60,964.00".

Line 272—The Senate recedes from their amendment in its entirety.

Line 275—Strike out the figures "\$123,636.00" and insert in lieu thereof the figures "\$132,236.00".

The Senate recedes from their amendments in the following lines:

Lines 339, 340, 342, and 344. Also lines 353 and 361.

Line 462—Strike out the figures "\$2,365,007.00" and insert in lieu thereof the figures "\$2,416,677.00".

For the House:

A. C. JOHNSON  
WILFRED COLLETTE  
ARLAN STAIR.

For the Senate:

M. R. YOUNG  
E. C. STUCKE  
CARROL E. DAY.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Lillehaugen moved that the rules be suspended and House Bill No. 1 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 2; absent and not voting, 18.

Those voting in the affirmative were:

Acheson	Gainor	Ostgulen
Allen, Grand Forks	Grenier	Pyle
Allen, Pierce	Haag	Rohrer
Anderson	Halcrow	Sailer
Arndt	Haugland	Sandness
Bagge	Heckman	Schimke
Baumgartner	Hegge	Schlafmann
Belzer	Herk	Schmalenberger
Benno	Hildre	Schmidt, Logan
Bjella	Hofstrand	Schmidt, Morton
Blair	Hogoboom	Schwartz
Bolmeier	Hovey	Seibel
Boucher	Isaak	Sellens
Brady	Jennings	Skaar
Bubel	Johnson, Richland	Smart
Bureau	Klefstad	Stair
Bymers	Langley	Stanley
Collette	Larson	Sticka
Dalzell	Leet	Still
Devlin	Levin	Stormon
Drawz	Lillehaugen	Symington
Drovdal	Lindberg	Thompson, Griggs
Ekren	Luick	Tuff
Esterby	McInnes	Welk

Falconer	Moe	Westby
Fitch	Moerke	Wolf, McIntosh
Fleck	Monson	Wolf, Morton
Forseth	Mork	Wollitz
Frank	Nystrom	Yirchott
Fraser	Ohnstad	Mr. Speaker
Fuglestad	Olson, Barnes	

Those voting in the negative were:

Engel	Thompson, Richl'nd
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Absent and not voting:

Callahan	Johnson, Cass	Saumur
Crockett	Lysne	Schnell
Dittmer	Maher	Severson
Graham	Mollet	Sharpe
Halvorson	Mortenson	Shockman
Haugen	Olson, Bowman	Wambheim

So the bill passed as amended and the title was agreed to.

Rep. Collette moved that the vote by which House Bill No. 1 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on House Bill No. 1.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 1.

W. J. TROUT, Secretary.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 69 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 69, have had the same under consideration and recommended that the House recede from its amendments and the following amendments be made:

In line 5 of the title of the bill strike out the figures "\$150,000" and insert in lieu thereof the figures "125,000". In line 6 of the title strike out the figures "\$15,000" and insert in lieu thereof the figures "10,000".

In line 48 of the bill, strike out the figures "150,000" and insert in lieu thereof the figures "\$125,000".

In line 51 of the bill strike out the figures "15,000" and insert in lieu thereof the figures "\$10,000".

For the House:

A. C. JOHNSON  
L. E. CALLAHAN  
M. T. LILLEHAUGEN.

For the Senate:

HARRY O'BRIEN  
J. L. FLATT  
J. B. BRIDSTON.

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the rules be suspended and Senate Bill No. 69, as amended, be placed on second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 1; absent and not voting, 19.

Those voting in the affirmative were:

Acheson	Fuglestad	Ostgulen
Allen, Grand Forks	Gainor	Pyle
Allen, Pierce	Grenier	Rohrer
Anderson	Haag	Sailer
Bagge	Halcrow	Sandness
Baumgartner	Haugland	Saumur
Benno	Heckman	Schlafmann
Bjella	Hegge	Schmalenberger
Blair	Herk	Schmidt, Logan
Bolmeier	Hofstrand	Schmidt, Morton
Boucher	Hogoboom	Schwartz
Brady	Hovey	Sellens
Bubel	Isaak	Sharpe
Bureau	Jennings	Skaar
Bymers	Johnson, Richland	Smart
Callahan	Klefstad	Stair
Collette	Langley	Stanley
Crockett	Larson	Sticka
Dalzell	Leet	Still
Devlin	Levin	Stormon
Drawz	Lillehaugen	Symington
Drowal	Lindberg	Thompson, Griggs
Ekren	Luick	Thompson, Rich'nd
Engel	McInnes	Welk
Esterby	Moe	Westby
Falconer	Mollet	Wolf, McIntosh
Fitch	Monson	Wolf, Morton
Fleck	Mork	Wollitz

Forseth	Mortenson	Yirchott
Frank	Ohnstad	Mr. Speaker
Fraser	Olson, Barnes	

Those voting in the negative were:

Tuff

Absent and not voting:

Arndt	Johnson, Cass	Schimke
Belzer	Lysne	Schnell
Dittmer	Maher	Seibel
Graham	Moerke	Severson
Halvorson	Nystrom	Shockman
Haugen	Olson, Bowman	Wambheim
Hildre		

So the bill passed as amended and the title was agreed to.

Rep. Westby moved that the vote by which Senate Bill No. 69 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 146 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 146, have had the same under consideration and recommend:

In line 11 of the original bill after the word "excede" strike out the numerals "\$4.25" and insert in lieu thereof the numerals "\$4.75".

Also in line 11 after the word "and" strike out the numerals "\$5.00" and insert in lieu thereof "\$5.50" and in line 12 strike out the word "maximum" and insert in lieu thereof the word "minimum". In line 16 the House recedes from its amendment which deleted the words "seed and".

For the House:

ALEX DALZELL  
PALMER LEVIN  
WILFRED COLLETTE

For the Senate:

RILIE R. MORGAN  
C. N. BRUNSDALE  
HARRY O'BRIEN

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Dalzell moved that the rules be suspended and Senate Bill No. 146 as amended be placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 1; absent and not voting, 25.

Those voting in the affirmative were:

Acheson	Haag	Sailer
Allen, Grand Forks	Halcrow	Sandness
Allen, Pierce	Haugen	Saumur
Anderson	Haugland	Schlafmann
Arndt	Heckman	Schmalenberger
Bagge	Hegge	Schmidt, Logan
Baumgartner	Herk	Schmidt, Morton
Benno	Hildre	Schnell
Bjella	Hofstrand	Schwartz
Blair	Hogoboom	Sellens
Bolmeier	Hovey	Sharpe
Boucher	Isaak	Skaar
Brady	Jennings	Smart
Bureau	Johnson, Richland	Stair
Callahan	Klefstad	Stanley
Collette	Larson	Still
Dalzell	Leet	Stormon
Devlin	Lillehaugen	Symington
Drawz	Lindberg	Thompson, Griggs
Ekren	Luick	Thompson, Rich'nd
Engel	McInnes	Tuff
Esterby	Moe	Welk
Falconer	Moerke	Westby
Fitch	Mork	Wolf, McIntosh
Frank	Ohnstad	Wolf, Morton
Fraser	Olson, Barnes	Wollitz
Fuglestad	Ostgulen	Yirchott
Gainor	Pyle	Mr. Speaker
Grenier	Rohrer	

Those voting in the negative were:

Belzer

Absent and not voting:

Bubel	Johnson, Cass	Nystrom
Bymers	Langley	Olson, Bowman
Crockett	Levin	Schimke
Dittmer	Lysne	Seibel
Drovdal	Maher	Severson
Fleck	Mollet	Shockman
Forseth	Monson	Sticka
Graham	Mortenson	Wambheim
Halvorson		

So the bill as amended passed and the title was agreed to.

Rep. Dalzell moved that the vote by which Senate Bill No. 146 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee Report on Senate Bills Nos. 69 and 146.

KENNETH L. MORGAN, Chief Clerk.

#### SEVENTH ORDER OF BUSINESS

Rep. Fleck moved that the Speaker appoint a committee of three to represent the House of Representatives at the

funeral next Wednesday, and any memorial services which may be held for the late John Moses, United States Senator from North Dakota, which motion prevailed.

The Speaker appointed Reps. Fleck, Sellens and Falconer.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 172.

W. J. TROUT, Secretary.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 172 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 172, have had the same under consideration and recommend that the House do concur with the Senate amendment.

For the House:  
RAY SCHNELL  
EDWIN L. BAGGE  
BEN J. WOLF

For the Senate:  
GUST WOG  
R. M. STREIBEL  
M. J. RASCHKO

Rep. Schnell moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Schnell moved that the rules be suspended and House Bill No. 172 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

Rep. Schmidt of Logan moved that further consideration of House Bill No. 172 be indefinitely postponed, which motion was lost.

Rep. Anderson moved that the House reconsider its action whereby the report of the Conference Committee was adopted, which motion was lost.

#### SECOND READING OF HOUSE BILLS

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 8; absent and not voting, 16.

Those voting in the affirmative were:

Acheson	Haugland	Sandness
Allen, Grand Forks	Heckman	Saumur
Allen, Pierce	Hegge	Schimke
Anderson	Herk	Schlafmann
Bagge	Hildre	Schmalenberger

Baumgartner	Hofstrand	Schmidt, Logan
Belzer	Hogboom	Schmidt, Morton
Benno	Hovey	Schnell
Bjella	Isaak	Schwartz
Blair	Jennings	Seibel
Bolmeier	Johnson, Richland	Sellens
Boucher	Langley	Severson
Brady	Larson	Sharpe
Bureau	Leet	Skaar
Bymers	Lillehaugen	Smart
Callahan	Lindberg	Stair
Collette	Luick	Stanley
Devlin	Lysne	Sticka
Drawz	McInnes	Still
Drovdal	Maher	Stormon
Ekren	Moe	Symington
Engel	Moerke	Thompson, Griggs
Esterby	Monson	Tuff
Fitch	Mork	Welk
Frank	Mortenson	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Graham	Olson, Barnes	Wollitz
Grenier	Ostgulen	Yirchott
Haag	Rohrer	Mr. Speaker

Those voting in the negative were:

Arndt	Ohnstad	Thompson, Rich'nd
Crockett	Pyle	Westby
Levin	Sailer	

Absent and not voting:

Bubel	Fuglestad	Klefstad
Dalzell	Gainor	Mollet
Dittmer	Halvorson	Olson, Bowman
Falconer	Haugen	Shockman
Fleck	Johnson, Cass	Wambheim
Forseth		

So the bill passed as amended and the title was agreed to, and the emergency clause was declared carried.

Rep. Bureau moved that the vote by which House Bill No. 172 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Thompson of Richland: I want to explain by vote. This bill, I believe, is a step in the right direction, but it is so far from what I wanted and what I had in mind when I introduced it that I have to cast my vote "no".

#### MESSAGES FROM THE SENATE

Senate Chamber

Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 17.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of



1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed a new Conference Committee on House Bill No. 29, Senators Young, Streibel and Conrad.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the

President has appointed as a Conference Committee on House Bill No. 29, Senators Brandt, Shure and Stucke.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "EE".

Which the Senate has amended.

W. J. TROUT, Secretary.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Section 26-2519 of the North Dakota Revised Code of 1943, Relating to the Expense Fund; Credits To; Levies For Benevolent Societies.

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 172.

KENNETH L. MORGAN, Chief Clerk.

Rep. Brady moved that the House recess for fifteen minutes, which motion prevailed.

The House was called to order, Speaker Bergesen presiding.

#### SEVENTH ORDER OF BUSINESS

Rep. Fitch moved that the courtesies of the floor be extended to Mr. Ray Juhala, a former member of the House from Emmons County, which motion prevailed and Mr. Juhala was welcomed by the Speaker.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 258.

In line 4 of the title of the bill after the word "supervisors" strike out the comma and insert the following: "in organized townships and the Board of County Commissioners in unorganized townships".

In line 7 of the title of the bill strike out the word "county" and the comma immediately following.

In line 5 of Section 1 of the bill strike out the comma following the word "supervisors" and insert the following: "in organized townships and the Board of County Commissioners in unorganized townships".

In line 8 of Section 1 of the bill strike out the words "fifteenth day of September" and insert in lieu thereof the following: "tenth day of July, and if a second cutting is necessary the same shall be done not later than the tenth day of October".

In line 13 of Section 2 of the bill strike out the word "townships" and insert in lieu thereof the following: "organized townships and Board of County Commissioners in unorganized townships".

In line 15 of Section 2 of the bill strike out the words "first day of October" and insert in lieu thereof the following: "tenth day of July and if a second cutting is necessary the same shall be done not later than the tenth day of October".

In line 16 of Section 2 of the bill after the word "grasses" insert the following: "in each organized township".

In line 17 of Section 2 of the bill strike out the words "of such township" and insert in lieu thereof the following: "thereof".

In line 18 of Section 2 of the bill after the word "and" insert "all of such charges in organized and unorganized townships".

In line 24 of Section 2 of the bill strike out the word "townships" and insert in lieu thereof the following: "respective subdivisions entitled thereto".

In line 25 of Section 2 of the bill strike out the word "county" and the comma following the same.

Renumber the lines accordingly.

Rep. Devlin moved that the House do not concur in the Senate amendments to House Bill No. 258, which motion prevailed.

Rep. Moe moved that House Bill No. 258 be indefinitely postponed, which motion was lost.

Rep. Devlin moved that a Conference Committee be appointed on House Bill No. 258, which motion prevailed.

The Speaker appointed Reps. Devlin, Smart and Bolmeier.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 258 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Devlin, Smart and Bolmeier.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 29 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 29, have had the same under consideration and have been unable to agree.

For the House:  
L. E. CALLAHAN  
GEORGE SAUMUR  
F. J. GRAHAM

For the Senate:  
E. C. STUCKE  
E. H. BRANT  
W. H. SHURE

Rep. Callahan moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Graham moved that a new Conference Committee be appointed on House Bill No. 29, which motion prevailed.

The Speaker appointed Reps. Symington, Stormon and Heckman.

Rep. Fitch moved that action on House Bill No. 58 be reconsidered, which motion was lost.

A division was called for and which revealed 29 voting for and 43 against so the motion was declared lost.

Rep. Fleck moved that the Secretary of State be instructed to mail each of the members of the 1943 session of the House of Representatives a photograph of the House of that year, and that such mailing charges be charged to legislative expense.

#### ROLL CALL

The question being on the motion of Rep. Fleck, the roll was called and there were ayes, 97; nays, 1; absent and not voting, 14.

Those voting in the affirmative were:

Acheson	Haag	Sailer
Allen, Grand Forks	Halcrow	Sandness
Allen, Pierce	Halvorson	Saumur
Anderson	Haugen	Schimke
Arndt	Haugland	Schlafmann
Bagge	Heckman	Schmalenberger
Baumgartner	Hegge	Schmidt, Logan
Belzer	Herk	Schmidt, Morton
Benno	Hildre	Schnell
Bjella	Hofstrand	Schwartz
Blair	Hogoboom	Seibel
Bolmeier	Hovey	Sellens
Boucher	Isaak	Severson
Brady	Johnson, Richland	Sharpe
Burau	Klefstad	Skaar
Bymers	Langley	Smart
Callahan	Larson	Stair
Collette	Lillehaugen	Stanley
Crockett	Lindberg	Sticka
Dalzell	Luick	Still
Devlin	Lysne	Stormon
Drawz	McInnes	Symington
Drovdal	Maher	Thompson, Griggs
Engel	Moerke	Thompson, Richl'nd
Esterby	Monson	Tuff
Falconer	Mork	Welk
Fitch	Mortenson	Westby
Fleck	Nystrom	Wolf, McIntosh
Frank	Ohnstad	Wolf, Morton
Fraser	Olson, Barnes	Wollitz
Fuglestad	Ostgulen	Yirchott
Graham	Pyle	Mr. Speaker
Grenier		

Those voting in the negative were:

Moe

Absent and not voting:

Bubel	Jennings	Olson, Bowman
Dittmer	Johnson, Cass	Rohrer

Ekren  
Forseth  
Gainor

Leet  
Levin  
Mollet

Shockman  
Wambheim

So the motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee to act on House Bill No. 29 with a like committee from the Senate, Reps. Symington, Stormon and Heckman.

KENNETH L. MORGAN, Chief Clerk.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 122.

In line 9 after the word "district" strike out the balance of the line.

In line 30, strike the word "four" and in lieu thereof insert the word "seven".

In line 34, after the word "within" strike out the word "five" and insert in lieu thereof the word "eight".

In line 37, strike out the word "Six" and in lieu thereof insert the word "nine".

In line 40 strike out the word "seven" and insert in lieu thereof the word "ten".

In line 43 strike out the word "seven" and insert in lieu thereof the word "ten".

Renumber the lines.

Rep. Hofstrand moved that the House concur in the Senate amendments to House Bill No. 122, which motion prevailed.

Rep. Hofstrand moved that the rules be suspended and House Bill No. 122 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on Teacher-Unit Basis, and Providing for Additional Distribution on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Acheson	Grenier	Olson, Barnes
Allen, Grand Forks	Haag	Ostgulen
Allen, Pierce	Halcrow	Pyle
Anderson	Halvorson	Rohrer
Arndt	Haugen	Sailer

Bagge	Haugland	Saumur
Baumgartner	Heckman	Schlafmann
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schmidt, Morton
Blair	Hofstrand	Schnell
Bolmeier	Hogoboom	Schwartz
Boucher	Hovey	Seibel
Brady	Isaak	Sharpe
Bubel	Johnson, Richland	Shockman
Burau	Klefstad	Smart
Bymers	Langley	Stair
Callahan	Leet	Stanley
Collette	Levin	Sticka
Dalzell	Lillehaugen	Still
Devlin	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs
Engel	McInnes	Tuff
Esterby	Maher	Welk
Falconer	Moe	Westby
Fitch	Moerke	Wolf, McIntosh
Fleck	Monson	Wolf, Morton
Frank	Mork	Wollitz
Fraser	Mortenson	Yirchott
Fuglestad	Nystrom	Mr. Speaker
Graham	Ohnstad	
Absent and not voting:		
Crockett	Johnson, Cass	Sellens
Dittmer	Larson	Severson
Ekren	Mollet	Skaar
Forseth	Olson, Bowman	Thompson, Rich'nd
Gainor	Sandness	Wambheim
Jennings	Schimke	

So the bill as amended passed and the title was agreed to.

Rep. Hofstrand moved that the vote by which House Bill No. 122 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 2, 1945.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 122.

KENNETH L. MORGAN, Chief Clerk.

Rep. Saumur moved that the pages take a collection for the purchase of flowers for the funeral of our late United States Senator John Moses, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 177.

Page 1, line 5 of the re-engrossed bill, strike the word "bond".

Rep. Johnson of Richland moved that the House concur in the Senate amendments to House Bill No. 177, which motion prevailed.

Rep. Levin moved that House Bill No. 177 be indefinitely postponed, which motion was lost.

Rep. Brady moved that the rules be suspended and House Bill No. 177 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 68; nays, 31; absent and not voting, 13.

Those voting in the affirmative were:

Allen, Grand Forks	Halcrow	Saumur
Allen, Pierce	Haugland	Schlafmann
Anderson	Heckman	Schmalenberger
Arndt	Hegge	Schnell
Bagge	Herk	Sellens
Benno	Hildre	Severson
Bjella	Hofstrand	Sharpe
Blair	Hogoboom	Skaar
Bolmeier	Hovey	Stair
Boucher	Johnson, Richland	Smart
Brady	Klefstad	Stanley
Bymers	Langley	Sticka
Callahan	Larson	Still
Collette	Leet	Stormon
Dalzell	Luick	Symington
Drawz	Lysne	Thompson, Griggs
Drovdal	McInnes	Tuff
Falconer	Nystrom	Welk
Fitch	Ohnstad	Westby
Fleck	Olson, Barnes	Wollitz
Fraser	Pyle	Yirchott
Fuglestad	Sailer	Mr. Speaker
Grenier	Sandness	

Those voting in the negative were:

Acheson	Halvorson	Mortenson
Baumgartner	Isaak	Ostgulen
Belzer	Levin	Rohrer
Bubel	Lillehaugen	Schmidt, Logan
Bureau	Lindberg	Schmidt, Morton
Crockett	Maher	Schwartz
Engel	Moe	Seibel
Esterby	Moerke	Thompson, Richl'nd
Frank	Monson	Wolf, McIntosh
Graham	Mork	Wolf, Morton
Haag		

Absent and not voting:

Devlin	Haugen	Olson, Bowman
Dittmer	Jennings	Schimke

Ekren  
Forseth  
Gainor

Johnson, Cass  
Mollet

Shockman  
Wambheim

So the bill passed as amended and the title was agreed to.

Rep. Brady moved that the vote by which House Bill No. 177 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution "EE".

After line 24 of the Resolution add a new paragraph as follows:

"Be It Further Resolved that at the close of this day's session, the Senate shall take a recess until the 22nd day of May, 1945, on which date the Senate shall reconvene at one o'clock in the afternoon for the purpose of conducting such impeachment trial of said Oscar E. Erickson."

Rep. Johnson of Richland moved that the House concur in the Senate amendments to House Concurrent Resolution "EE", which motion prevailed.

Rep. Johnson of Richland moved that House Concurrent Resolution "EE" be adopted.

## SECOND READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "EE".

Was read the second time.

### ROLL CALL

The question being on the adoption of the Resolution, as amended, the roll was called and there were ayes, 77; nays, 13; absent and not voting, 22.

Those voting in the affirmative were:

Acheson	Hegge	Sailer
Allen, Grand Forks	Herk	Sandness
Allen, Pierce	Hildre	Saumur
Arndt	Hofstrand	Schlafmann
Bagge	Hogoboom	Schmalenberger
Belzer	Hovey	Schmidt, Logan
Benno	Johnson, Richland	Schmidt, Morton
Bjella	Klefstad	Schnell
Blair	Langley	Schwartz
Brady	Larson	Sellens
Bubel	Leet	Severson
Burau	Lindberg	Sharpe
Bymers	Luick	Skaar
Callahan	Lysne	Stair
Dalzell	McInnes	Sticka
Drawz	Maher	Still
Drovdal	Moe	Stanley
Esterby	Moerke	Stormon
Fitch	Monson	Symington
Fraser	Mork	Thompson, Griggs
Fuglestad	Mortenson	Westby
Grenier	Nystrom	Wolf, Morton
Halcrow	Ohnstad	Wollitz
Halvorson	Olson, Barnes	Yirchott
Haugland	Pyle	Mr. Speaker
Heckman	Rohrer	



Those voting in the negative were:

Anderson	Haag	Schimke
Baumgartner	Isaak	Thompson, Rich'lnd
Engel	Levin	Welk
Falconer	Lillehaugen	Wolf, McIntosh
Frank		

Absent and not voting:

Bolmeier	Forseth	Olson, Bowman
Boucher	Gainor	Ostgulen
Collette	Graham	Seibel
Crockett	Haugen	Shockman
Devlin	Jennings	Smart
Dittmer	Johnson, Cass	Tuff
Ekren	Mollet	Wambheim
Fleck		

So the Resolution as amended was declared adopted.

Rep. Bymers moved that the vote by which House Concurrent Resolution "EE" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 177.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 258, Senators Flatt, Reinke and Krenz.

W. J. TROUT, Secretary.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution "EE".

KENNETH L. MORGAN, Chief Clerk.

#### CONSIDERATION OF MESSAGES FROM THE SENATE House Bill No. 83.

Strike out everything in line 6 after the word "session", strike out everything in line 7 and strike out the rest of that same sentence in line 8, and insert a period.

After the word "chosen" in line 9 insert the following which will be new line 10 "in the same manner as the members of other committees".

After line 11, put in a new sentence "in the Senate such committee members shall be chosen by the Lt. Governor three (3) from the majority faction and two (2) from the minority faction, such committee members to be chosen from

a list of seven members recommended to him by each such faction”.

Renumber the lines accordingly.

In line 124 of the original bill, strike out the figures 20,000.00 and insert in lieu thereof the figures 25,000.00.

Rep. Johnson of Richland moved that the House concur in the Senate amendments to House Bill No. 83, which motion prevailed.

Rep. Saumur moved that the rules be suspended and House Bill No. 83 as amended be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 70; nays, 23; absent and not voting, 19.

Those voting in the affirmative were:

Acheson	Grenier	Sailer
Allen, Grand Forks	Halcrow	Saumur
Allen, Pierce	Haugland	Sandness
Arndt	Heckman	Schlafmann
Bagge	Herk	Schmalenberger
Belzer	Hildre	Sellens
Benno	Hofstrand	Severson
Bjella	Hogoboom	Schnell
Blair	Hovey	Schwartz
Bolmeier	Johnson, Richland	Sharpe
Boucher	Klefstad	Skaar
Brady	Langley	Smart
Bubel	Leet	Stair
Burau	Lillehaugen	Stanley
Bymers	Luick	Sticka
Callahan	Lysne	Still
Collette	McInnes	Stormon
Dalzell	Maher	Symington
Drawz	Nystrom	Thompson, Griggs
Esterby	Ohnstad	Westby
Falconer	Olson, Barnes	Wollitz
Fitch	Pyle	Yirchott
Fleck	Rohrer	Mr. Speaker
Fraser		

Those voting in the negative were:

Anderson	Hegge	Schmidt, Logan
Baumgartner	Isaak	Schmidt, Morton
Drovdal	Lindberg	Seibel
Engel	Moerke	Thompson, Richl'nd
Frank	Monson	Tuff
Graham	Mork	Welk
Haag	Mortenson	Wolf, Morton
Halvorson	Ostgulen	

## Absent and not voting:

Crockett	Haugen	Mollet
Devlin	Jennings	Olson, Bowman
Dittmer	Johnson, Cass	Schimke
Ekren	Larson	Shockman
Forseth	Levin	Wambheim
Fuglestad	Moe	Wolf, McIntosh
Gainor		

So the bill passed as amended and the title was agreed to.

Rep. Westby moved that the vote by which House Bill No. 83 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 83.

KENNETH L. MORGAN, Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE  
SENATE

House Bill No. 190.

Strike out everything after the word "A Bill" and insert in lieu thereof the following:

"FOR AN ACT requiring Manufacturers, wholesalers and distributors operating through agents who are required to furnish bonds to give the sureties on such bonds notice of acceptance thereof, giving the surety ten days within which to withdraw therefrom, requiring monthly statements to be furnished to the surety, and providing for cancellation of such bonds.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY  
OF THE STATE OF NORTH DAKOTA:

1 SECTION 1.) In every case in which a  
2 manufacturer, wholesaler or distributor hereafter  
2a requires  
3 a present or prospective agent, salesman, or dealer to  
4 secure the signature of a surety or guarantor to a  
5 bond or guaranty for the purpose of delivery of merchan-  
6 dise to such agent, salesman or dealer, such manufac-  
7 turer, wholesaler or distributor shall furnish such surety  
8 or guarantor a correct copy of the bond or obligation,  
9 together with notice of acceptance by the manufacturer,  
10 wholesaler or distributor and setting forth to such  
11 surety or guarantor his right to withdraw as herein  
12 provided, either by registered mail or personal delivery  
13 prior to the first shipment of any merchandise for which  
14 such surety or guarantor might become liable.

15 SECTION 2.) Each surety or guarantor to any  
16 such bond or obligation shall have ten days time after  
17 his receipt of such copy and notice during which he may  
18 give notice either by mail or personal delivery to the  
19 manufacturer, wholesaler or distributor of his with-  
20 drawal from any such bond or obligation, and shall  
21 in the event of his giving such notice of withdrawal as  
22 herein provided incur no liability under any such bond

23 or obligation to such manufacturer, wholesaler or  
24 distributor.

25 SECTION 3.) In every case in which the  
26 manufacturer, wholesaler or distributor is furnishing  
27 merchandise to any agent, salesman or dealer whose  
28 execution of bond or obligation to such manufacturer,  
29 wholesaler or distributor has been joined in by any  
30 surety or guarantor, such manufacturer, wholesaler or  
31 distributor shall each month during the life of such  
32 bond or obligation furnish each such surety or guarantor  
33 either by mail or personal delivery a statement showing  
34 the debit and credit items incurred and made in the  
35 account between the manufacturer, wholesaler or dis-  
36 tributor and such agent, salesman or dealer during the  
37 immediately preceding month and the exact balance  
38 owing from the agent, salesman or dealer thereon at the  
39 date of such notice.

40 SECTION 4.) Any such surety or guarantor may  
41 at any time give the manufacturer, wholesaler or dis-  
42 tributor either by mail or personal delivery, notice  
43 of withdrawal from the bond or obligation to which he  
44 is a party, and such withdrawal shall be effective as  
45 of the time of the receipt of such notice by the  
46 manufacturer, wholesaler or distributor.

Rep. Johnson of Richland moved that the House do not concur in the Senate amendments to House Bill No. 190, which motion prevailed.

Rep. Johnson of Richland moved that a Conference Committee be appointed on House Bill No. 190, which motion prevailed.

The Speaker appointed Reps. Johnson of Richland, Bymers and Ohnstad.

House Bill No. 180.

In line 4 of the title of the original bill after the word "fish" insert the following: "regulating the sale and tagging of deer hides".

At the end of the original bill add the following section:

"SECTION 2.) Provided further that deer hides may be sold when legally taken and properly tagged."

Rep. Benno moved that the House concur in the Senate amendments to House Bill No. 180, which motion prevailed.

Rep. Benno moved that the rules be suspended and House Bill No. 180 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, Regulating the Sale and Tagging of Deer Hides, and Providing Exceptions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 0; absent and not voting, 29.

Those voting in the affirmative were:

Acheson	Haag	Pyle
Allen, Grand Forks	Halcrow	Rohrer
Allen, Pierce	Halvorson	Sailer
Anderson	Haugland	Saumur
Arndt	Hegge	Schlafmann
Bagge	Herk	Schmalenberger
Baumgartner	Hildre	Schmidt, Logan
Benno	Hofstrand	Schmidt, Morton
Bjella	Hogoboom	Schnell
Blair	Hovey	Schwartz
Bolmeier	Isaak	Sellens
Boucher	Johnson, Richland	Seibel
Brady	Langley	Severson
Burau	Leet	Skaar
Bymers	Levin	Smart
Callahan	Lindberg	Stair
Dalzell	Luick	Stanley
Drawz	Lysne	Sticka
Drovdal	McInnes	Still
Engel	Maher	Thompson, Griggs
Esterby	Moerke	Thompson, Richl'nd
Falconer	Monson	Welk
Fitch	Mork	Westby
Fleck	Mortenson	Wolf, McIntosh
Frank	Nystrom	Wolf, Morton
Fraser	Ohnstad	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Graham	Ostgulen	

Absent and not voting:

Belzer	Haugen	Sandness
Bubel	Heckman	Schimka
Collette	Jennings	Sharpe
Crockett	Johnson, Cass	Shockman
Devlin	Klefstad	Stormon
Dittmer	Larson	Symington
Ekren	Lillehaugen	Tuff
Forseth	Moe	Wambheim
Gainor	Mollet	Wollitz
Grenier	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

Rep. Mork moved that the vote by which House Bill No. 180 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 190, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives Johnson of Richland, Bymers and Ohnstad.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the

House has concurred in the Senate amendments to House Bill No. 180.

KENNETH L. MORGAN, Chief Clerk.

### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 222.

In the title of the bill insert the repeal clause with reference to Section 39-0433 of the North Dakota Revised Code of 1943.

Rep. Bagge moved that the House concur in the Senate amendments to House Bill No. 222, which motion prevailed.

House Bill No. 27.

That the figures on pages 3 and 4 of the printed bill, including line 25, be reinstated to the original figures.

Rep. Bagge moved that the House concur in the Senate amendments to House Bill No. 27, which motion prevailed.

Rep. Bagge moved that the rules be suspended and House Bill No. 27 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 4; absent and not voting, 32.

Those voting in the affirmative were:

Acheson	Graham	Olson, Barnes
Allen, Grand Forks	Grenier	Rohrer
Allen, Pierce	Haag	Sailer
Anderson	Halcrow	Schlafmann
Arndt	Haugland	Schmalenberger
Bagge	Herk	Schmidt, Logan
Baumgartner	Hildre	Schmidt, Morton
Bjella	Hofstrand	Schnell
Blair	Hogoboom	Schwartz
Bolmeier	Hovey	Seibel
Brady	Isaak	Sellens
Bubel	Johnson, Richland	Sharpe
Burau	Langley	Skaar
Bymers	Leet	Smart
Callahan	Levin	Stair
Dalzell	Luick	Stanley
Drawz	McInnes	Sticka
Drovdal	Maher	Still
Engel	Moe	Thompson, Griggs
Esterby	Moerke	Welk
Falconer	Monson	Wolf, McIntosh

Fitch	Mork	Wolf, Morton
Fleck	Mortenson	Wollitz
Frank	Nystrom	Yirchott
Fraser	Ohnstad	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Boucher	Lysne	Thompson, Rich'nd
Lillehaugen		

Absent and not voting:

Belzer	Heckman	Sandness
Benno	Hegge	Saumur
Collette	Jennings	Schimke
Crockett	Johnson, Cass	Severson
Devlin	Klefstad	Shockman
Dittmer	Larson	Stormon
Ekren	Lindberg	Symington
Forseth	Mollet	Tuff
Gainor	Olson, Bowman	Wambheim
Halvorson	Ostgulen	Westby
Haugen	Pyle	

So the bill passed, as amended, and the title was agreed to. Rep. Wolf of McIntosh 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 TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 222.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee on House Bill No. 29, Senators Conrad, Streibel and Flatt.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House on House Bill No. 190, Senators Kehoe, Nelson of Griggs and Steele, and Peterson.

W. J. TROUT, Secretary.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 27.

KENNETH L. MORGAN, 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 and resolutions:

House Bill No. 48.  
House Bill No. 21.  
House Bill No. 22.  
House Bill No. 109.  
House Bill No. 161.  
House Bill No. 203.  
House Bill No. 223.  
House Bill No. 228.  
House Bill No. 239.  
House Bill No. 268.  
House Bill No. 278.  
House Concurrent Resolution "BB".  
House Concurrent Resolution "G".  
House Concurrent Resolution "O".  
House Concurrent Resolution "X".  
House Concurrent Resolution "N".  
House Concurrent Resolution "Z".  
And find the same correctly enrolled.

REP. LEET, Chairman.

Rep. Burau moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Halcrow moved that we recess subject to the call of the chair, which motion prevailed.

The House reconvened pursuant to recess taken, Speaker Bergesen presiding.

**REPORT OF SELECT COMMITTEES**

The Conference Committee on House Bill No. 29 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 29, have had the same under consideration and recommend that the committee is unable to agree and ask to be discharged and a new committee be appointed.

For the House:  
E. D. SYMINGTON  
HARRY STORMON  
J. H. HECKMAN.

For the Senate:  
J. L. FLATT  
R. M. STREIBEL  
JOHN CONRAD.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Richland moved that a new Conference Committee be appointed on House Bill No. 29, which motion prevailed.

The Speaker appointed Reps. Symington, Stormon and Heckman.



## REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 17 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 17, have had the same under consideration and recommend that the House recede from its amendment to line 3 of the engrossed bill. That the House recede from its amendment to line 11 of the engrossed bill. That the House recede from its amendments to line 17 of the engrossed bill and that the Senate accept all other House amendments.

For the House:  
E. G. SAILER  
E. SYMINGTON  
LEO STRICKA.

For the Senate:  
RILIE R. MORGAN  
W. J. BRAUN  
E. C. STUCKE.

Rep. Sailer moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Symington moved that the rules be suspended and Senate Bill No. 17, as amended, be placed on second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 0; absent and not voting, 23.

Those voting in the affirmative were:

Acheson	Graham	Pyle
Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schmalenberger
Baumgartner	Hegge	Schmidt, Logan
Belzer	Herk	Schnell
Bjella	Hildre	Schwartz
Blair	Hofstrand	Seibel
Bolmeier	Hogoboom	Sellens
Brady	Hovey	Severson
Bubel	Isaak	Sharpe
Burau	Johnson, Richland	Smart
Collette	Langley	Stair
Crockett	Levin	Stanley
Dalzell	Lillehaugen	Still
Devlin	Lindberg	Stormon
Drawz	Luick	Symington
Drovdal	Lysne	Thompson, Griggs

Ekren	McInnes	Thompson, Rich'nd
Engel	Moe	Tuff
Esterby	Moerke	Welk
Falconer	Monson	Westby
Fitch	Mork	Wolf, McIntosh
Fleck	Mortenson	Wolf, Morton
Frank	Nystrom	Wollitz
Fraser	Ohnstad	Yirchott
Fuglestad	Olson, Barnes	Mr. Speaker
Gainor	Ostgulen	

## Absent and not voting:

Benno	Jennings	Schimke
Boucher	Johnson, Cass	Schlafmann
Bymers	Klefstad	Schmidt, Morton
Callahan	Larson	Shockman
Dittmer	Leet	Skaar
Forseth	Maher	Sticka
Grenier	Mollet	Wambheim
Haugen	Olson, Bowman	

So the bill passed as amended and the title was agreed to.

Rep. Sailer moved that the vote by which Senate Bill No. 17 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to adopt the Conference Committee report to House Bill No. 29 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives Symington, Stormon and Heckman.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee's amendment to Senate Bill No. 17.

KENNETH L. MORGAN, Chief Clerk.

## REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 258 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 258, have had the same under consideration and recommend:

In line 4 of Section 1 of the enrolled bill strike out the words "fifteenth day of September" and insert in lieu thereof the following: "tenth day of July".

In line 13 of Section 2 of the enrolled bill strike out the word "townships" and insert in lieu thereof the following: "organized townships and Board of County Commissioners in unorganized townships".

In line 16 of Section 2 of the enrolled bill after the word

"grasses" insert the following: "in each organized township".

In line 17 of Section 2 of the enrolled bill strike out the words "of such township" and insert in lieu thereof the following: "thereof".

In line 18 of Section 2 of the enrolled bill after the word "and" insert "all of such charges in organized and unorganized townships".

In line 24 of Section 2 of the enrolled bill strike out the word "townships" and insert in lieu thereof the following: "subdivisions entitled thereto".

Renumber the lines accordingly.

For the House:

THOS. V. DEVLIN

W. M. SMART

WESLEY L. BOLMEIER.

For the Senate:

REINHART KRENZ

JOSEPH A. REINKE

J. L. FLATT.

Rep. Devlin moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Devlin moved that the House concur in the Senate amendments to House Bill No. 258, which motion prevailed.

Rep. Devlin moved that the rules be suspended and House Bill No. 258 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township Supervisors in Organized Townships and the Board of County Commissioners in Unorganized Townships, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act State and Federal Highways; Repealing All Laws and Parts of Laws 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, 80; nays, 7; absent and not voting, 25.

Those voting in the affirmative were:

Acheson	Fraser	Olson, Barnes
Allen, Grand Forks	Fuglestad	Pyle
Allen, Pierce	Gainor	Rohrer
Anderson	Graham	Sailer
Arndt	Grenier	Sandness
Bagge	Haag	Saumur
Baumgartner	Halcrow	Schmalenberger
Belzer	Haugland	Schmidt, Logan
Benno	Hegge	Schnell
Bjella	Herk	Schwartz

Blair	Hildre	Seibel
Bolmeier	Hofstrand	Sellens
Brady	Hogoboom	Severson
Bubel	Hovey	Smart
Bureau	Isaak	Stair
Collette	Johnson, Richland	Stanley
Dalzell	Langley	Still
Devlin	Levin	Thompson, Griggs
Drawz	Lillehaugen	Tuff
Drovdal	Luick	Welk
Ekren	Lysne	Westby
Engel	McInnes	Wolf, McIntosh
Esterby	Moerke	Wolf, Morton
Falconer	Monson	Wollitz
Fitch	Mork	Yirchott
Fleck	Mortenson	Mr. Speaker
Frank	Ohnstad	

Those voting in the negative were:

Crockett	Nystrom	Sharpe
Lindberg	Ostgulen	Thompson, Rich'nd
Moe		

Absent and not voting:

Boucher	Johnson, Cass	Schlafmann
Bymers	Klefstad	Schmidt, Morton
Callahan	Larson	Shockman
Dittmer	Leet	Skaar
Forseth	Maher	Sticka
Halvorson	Mollet	Stormon
Haugen	Olson, Bowman	Symington
Heckman	Schimke	Wambheim
Jennings		

So the bill as amended passed and the title was agreed to.

Rep. Devlin moved that the vote by which House Bill No. 258 was passed be reconsidered and the motion to reconsider be laid on the table, 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 Engrossment respectfully report that:

House Bill No. 283.

Was delivered to the Governor for his approval at the hour of 2:47 o'clock p. m., March 2, 1945.

REP. LEET, Chairman.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee amendment to House Bill No. 258.

KENNETH L. MORGAN, Chief Clerk.

## MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 190.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee on House Bill No. 29, Senators Drew, Nordhougen and O'Brien.

W. J. TROUT, Secretary.

## CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 185.

Strike out everything after the words "A BILL" and insert in lieu thereof the following:

"For an Act authorizing the governing body of any incorporated city or village to declare the growth of weeds on private property within the limits of such city or village a public nuisance, and providing for the cutting thereof, and declaring an emergency.

## BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. NUISANCE ON PRIVATE PROPERTY.) Where weeds are permitted to grow on any lot, piece or parcel of real property privately owned within the limits of any incorporated city or village the governing body thereof may by resolution declare the same a public nuisance and may give notice to the owner of such property in writing, by personal service, or by registered mail addressed to the owner at his post office address as shown on the records in the office of the County Treasurer, to cut such weeds within ten days from date of such notice; provided, however, that such notice shall not be given more than twice in any one year, to-wit: Once between the 15th day of June and the 15th day of July and once between the 1st day of September and the 1st day of October. In the event that such owner fails to cause such weeds to be so cut as hereinbefore provided, the governing body of any such city or village shall cause the same to be cut and the cost thereof shall be borne by the owner of such property.

SECTION 2. COST TO BE ASSESSED AGAINST PROPERTY.) Upon the completion of such cutting by the governing body, it shall be the duty of the City Auditor or village clerk, as the case may be, to certify to the County Auditor the amount which shall be assessed against each lot or parcel of land for the cutting of such weeds, and it shall be the duty of the County Auditor to spread the same against the respective lots or parcels in the same manner in which special assessments are spread. Such assessments shall become a lien upon such property, and shall be collected at the same time and in the same manner as special taxes are collected.

SECTION 3. EMERGENCY.) This act is hereby de-

clared to be an emergency act and shall be in full force and effect from its passage and approval.”

And renumber the lines.

Rep. Ohnstad moved that the House concur in the Senate amendments to House Bill No. 185, which motion prevailed.

Rep. Ohnstad moved that the rules be suspended and House Bill No. 185 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nuisance. Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 5; absent and not voting, 24.

Those voting in the affirmative were:

Acheson	Fuglestad	Pyle
Allen, Grand Forks	Gainor	Rohrer
Allen, Pierce	Graham	Sailer
Anderson	Grenier	Sandness
Arndt	Haag	Saumur
Bagge	Halcrow	Schimke
Baumgartner	Halvorson	Schlafmann
Belzer	Haugland	Schmalenberger
Benno	Hegge	Schmidt, Logan
Bjella	Herk	Schnell
Blair	Hildre	Schwartz
Bolmeier	Hofstrand	Seibel
Brady	Hogboom	Sellens
Bureau	Hovey	Sharpe
Collette	Isaak	Smart
Crockett	Johnson, Richland	Stair
Dalzell	Langley	Stanley
Devlin	Levin	Still
Drawz	Lindberg	Thompson, Griggs
Drovdal	Luick	Tuff
Ekren	McInnes	Welk
Engel	Moerke	Westby
Esterby	Monson	Wolf, McIntosh
Falconer	Mork	Wolf, Morton
Fitch	Nystrom	Wollitz
Fleck	Ohnstad	Yirehott
Frank	Olson, Barnes	Mr. Speaker
Fraser	Ostgulen	

Those voting in the negative were:

Boucher	Moe	Thompson, Richl'nd
Lysne	Mortenson	

## Absent and not voting:

Bubel	Johnson, Cass	Schmidt, Morton
Bymers	Klefstad	Severson
Callahan	Larson	Shockman
Dittmer	Leet	Skaar
Forseth	Lillehaugen	Sticka
Haugen	Maher	Stormon
Heckman	Mollet	Symington
Jennings	Olson, Bowman	Wambheim

So the bill as amended passed and the title was agreed to and the emergency clause was declared carried.

Rep. Drovdal moved that the vote by which House Bill No. 185 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 185.

KENNETH L. MORGAN, Chief Clerk.

## FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

The Joint Committee on Employment introduced:

## HOUSE CONCURRENT RESOLUTION "FF"

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

- 1 That Margaret DeLange be allowed 16 hours pay as
- 2 enrolling clerk, \$15.00; that Ann Holle be allowed 22
- 3 hours pay as enrolling clerk, \$20.00; that Harriet
- 4 Whitty be allowed 3 hours pay as enrolling clerk, \$3.00
- 5 and that Bernadine Boss be allowed 8 hours pay as en-
- 6 rolling clerk, \$7.50,
- 7 AND BE IT FURTHER RESOLVED, that the sum of
- 7a \$45.50
- 8 be charged to legislative expense.

Was read the first time.

Rep. Blair moved that House Concurrent Resolution "FF" be adopted.

## SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "FF".

Was read the second time.

## ROLL CALL

The question being on the adoption of House Concurrent Resolution "FF", the roll was called and there were ayes, 83; nays, 0; absent and not voting, 29.

Those voting in the affirmative were:

Acheson	Fuglestad	Olson, Barnes
Allen, Grand Forks	Gainor	Ostgulen
Allen, Pierce	Graham	Pyle

Anderson	Grenier	Rohrer
Arndt	Halcrow	Sailer
Baumgartner	Halvorson	Sandness
Belzer	Haugland	Schmalenberger
Benno	Hegge	Schmidt, Logan
Bjella	Herk	Schnell
Blair	Hildre	Schwartz
Bolmeier	Hogoboom	Seibel
Boucher	Hovey	Sellens
Brady	Isaak	Severson
Bubel	Johnson, Richland	Sharpe
Bureau	Langley	Smart
Collette	Levin	Stair
Crockett	Lillehaugen	Stanley
Dalzell	Lindberg	Still
Devlin	Luick	Thompson, Griggs
Drawz	Lysne	Thompson, Rich'nd
Drovdal	McInnes	Weik
Engel	Moe	Westby
Esterby	Moerke	Wolf, McIntosh
Falconer	Monson	Wolf, Morton
Fitch	Mork	Wollitz
Fleck	Mortenson	Yirchott
Frank	Nystrom	Mr. Speaker
Fraser	Ohnstad	

## Absent and not voting:

Bagge	Jennings	Schlafmann
Bymers	Johnson, Cass	Schmidt, Morton
Callahan	Klefstad	Shockman
Dittmer	Larson	Skaar
Ekren	Leet	Sticka
Forseth	Maher	Stormon
Haag	Mollet	Symington
Haugen	Olson, Bowman	Tuff
Heckman	Saumur	Wambheim
Hofstrand	Schimke	

So the resolution was declared adopted.

Rep. Hovey moved that the vote by which House Concurrent Resolution "FF" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Hovey moved that House Concurrent Resolution "FF" be printed in the Journal, which motion prevailed.

## MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:  
House Concurrent Resolution "FF".

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

## MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the



Senate has adopted the report of the Conference Committee on House Bill No. 258.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Compliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Senate Bill No. 155. A Bill for an Act to Permit a Levy of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law.

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings, Specifications, Procedures, and Other Actions Preliminary to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Sec-

tion 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

Senate Concurrent Resolution No. 2. A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.

Senate Concurrent Resolution No. 16. State Land Department Authorized to Accept Bid of Returned Veterans on Sale of Original Grant Lands.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society. for Salary and General Expenses and Maintenance of State Parks.

Senate Bill No. 22. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Commissioner of Veterans' Affairs.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senate Bill No. 32. A Bill for an Act Transferring to the Veterans Post-War Rehabilitation Reserve Fund the Sum of Five Hundred Thousand Dollars (\$500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service of the United States to Hunt, Fish or Trap, Without License Therefor for the Duration of the Present War, and for Six Months Thereafter, While on Furlough.

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Senate Bill No. 72. A Bill for an Act Accepting from the United States the Lands and Improvements Comprising the Bismarck Indian School Plant, to Be Known as Fraine Barracks, and Declaring an Emergency.

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of Fraine Barracks in Burleigh County, North Dakota; Providing for Method of Disbursement, and Declaring an Emergency.

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Section 26-1501 of the North Dakota Revised Code of 1943, Relating to Organization of County Mutual Insurance Companies.

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Attorney General of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages. Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspen-

sion or Revocation of Such Licenses by the Attorney General, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 3.

In line 8 of the engrossed bill, after the word "Clerkhire" insert the words "and Inspectors".

Rep. Bolmeier moved that the House concur in the Senate amendments to House Bill No. 3, which motion prevailed.

Rep. Bolmeier moved that the rules be suspended and House Bill No. 3 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 0; absent and not voting, 24.

Those voting in the affirmative were:

Acheson	Gainor	Olson, Barnes
Allen, Pierce	Graham	Ostgulen
Allen, Grand Forks	Grenier	Pyle
Anderson	Haag	Rohrer
Arndt	Halcrow	Sailer
Bagge	Halvorson	Sandness
Baumgartner	Haugland	Saumur
Belzer	Hegge	Schmalenberger
Benno	Herk	Schmidt, Logan
Bjella	Hildre	Schnell
Blair	Hogoboom	Schwartz
Bolmeier	Hofstrand	Seibøl
Boucher	Hovey	Sellens
Brady	Isaak	Severson
Bubel	Johnson, Richland	Sharpe
Bureau	Langley	Smart
Collette	Levin	Stair
Crockett	Lillehaugen	Stanley
Dalzell	Lindberg	Sticka
Drawz	Luick	Still
Drovdal	Lysne	Thompson, Griggs
Ekren	McInnes	Thompson, Rich'nd
Engel	Moe	Welk
Esterby	Moerke	Westby

Falconer	Monson	Wolf, McIntosh
Fitch	Mork	Wolf, Morton
Fleck	Mortenson	Wollitz
Frank	Nystrom	Yirchott
Fraser	Ohnstad	Mr. Speaker
Fuglestad		

## Absent and not voting:

Bymers	Johnson, Cass	Schlafmann
Callahan	Klefstad	Schmidt, Morton
Devlin	Larson	Shockman
Dittmer	Leet	Skaar
Forseth	Maher	Stormon
Haugen	Mollet	Symington
Heckman	Olson, Bowman	Tuff
Jennings	Schimke	Wambheim

So the bill as amended passed and the title was agreed to.

Rep. Welk 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. 234.

In line 32 of the Title of the printed Bill strike out everything after the word "examiners"; strike out all of lines 33, 34, 35 and the first two words of line 36.

Renumber the sections and lines accordingly.

Rep. Johnson of Richland moved that the House concur in the Senate amendments to House Bill No. 234, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and House Bill No. 234 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Su-

perintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 1; absent and not voting, 24.

Those voting in the affirmative were:

Acheson	Fraser	Nystrom
Allen, Grand Forks	Fuglestad	Ohnstad
Allen, Pierce	Gainor	Olson, Barnes
Anderson	Grenier	Ostgulen
Arndt	Haag	Pyle
Bagge	Halcrow	Rohrer
Baumgartner	Halvorson	Sailer
Belzer	Haugland	Sandness
Benno	Hegge	Saumur
Bjella	Herk	Schmalenberger
Blair	Hildre	Schmidt, Logan
Bolmeier	Hofstrand	Schnell
Boucher	Hogoboom	Schwartz
Brady	Hovey	Seibel
Bubel	Isaak	Sellens
Burau	Johnson, Richland	Severson
Collette	Klefstad	Sharpe
Crockett	Langley	Smart
Dalzell	Levin	Stair
Devlin	Lillehaugen	Stanley
Drawz	Lindberg	Still
Drovdal	Luick	Thompson, Griggs
Ekren	Lysne	Welk
Engel	McInnes	Westby
Esterby	Moe	Wolf, McIntosh
Falconer	Moerke	Wolf, Morton

Fitch	Monson	Wollitz
Fleck	Mork	Yirchott
Frank	Mortenson	Mr. Speaker

Those voting in the negative were:  
Thompson, Richl'nd

Absent and not voting:

Bymers	Johnson, Cass	Schmidt, Morton
Callahan	Larson	Shockman
Dittmer	Leet	Skaar
Forseth	Maher	Sticka
Graham	Mollet	Stormon
Haugen	Olson, Bowman	Symington
Heckman	Schimke	Tuff
Jennings	Schlafmann	Wambheim

So the bill as amended passed and the title was agreed to.

Rep. Lillehaugen moved that the vote by which House Bill No. 234 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 3.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 234.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 190 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 190, have had the same under consideration and recommend that the House do concur with the Senate amendments.

For the House:  
VERNON M. JOHNSON  
CORNELIUS BYMERS  
MANFRED R. OHNSTAD

For the Senate:  
P. A. PETERSON  
J. J. KEHOE  
STEVEN C. NELSON

Rep. Johnson of Richland moved that the report be adopted.

Rep. Benno moved that House Bill No. 190 be indefinitely postponed.

The Speaker called Rep. Halvorson to the chair.

Speaker Bergesen took the floor on behalf of House Bill No. 190.

The Speaker resumed the chair.

The question was on the motion to indefinitely postpone House Bill No. 190, which motion was lost.

A division was called for and which revealed that the motion was lost.

The question was on the motion of Rep. Johnson of Richland, which motion prevailed and the report of the committee was adopted.

Rep. Johnson of Richland moved that the rules be suspended and House Bill No. 190 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

Rep. Fitch moved that the rules be suspended and House Bill No. 190 be amended by striking out the enacting clause and everything thereafter, which motion lost.

#### SECOND READING OF HOUSE BILLS

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

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, 62; nays, 25; absent and not voting, 25.

#### ROLL CALL

Those voting in the affirmative were:

Allen, Grand Forks	Haag	Rohrer
Allen, Pierce	Halcrow	Sailer
Anderson	Herk	Sandness
Arndt	Hildre	Saumur
Bagge	Hofstrand	Schmalenberger
Baumgartner	Hogoboom	Schnell
Benno	Hovey	Seibel
Bjella	Isaak	Sellens
Blair	Johnson, Richland	Sharpe
Boucher	Klefstad	Skaar
Brady	Langley	Stair
Bureau	Lindberg	Stanley
Dalzell	Luick	Still
Devlin	Lysne	Tuff
Drawz	McInnes	Westby
Drovdal	Moerke	Wolf, McIntosh
Ekren	Monson	Wolf, Morton
Esterby	Mortenson	Wollitz
Fitch	Nystrom	Yirchott
Gainor	Ohnstad	Mr. Speaker
Grenier	Pyle	

Those voting in the negative were:

Acheson	Frank	Moe
Belzer	Fraser	Mork
Bolmeier	Fuglestad	Ostgulen
Bubel	Halvorson	Schmidt, Logan
Collette	Haugland	Schwartz
Crockett	Hegge	Smart
Engel	Levin	Thompson, Richl'nd



Falconer	Lillehaugen	Welk
Fleck		
Absent and not voting:		
Bymers	Larson	Schmidt, Morton
Callahan	Leet	Severson
Dittmer	Maher	Shockman
Forseth	Mollet	Sticka
Graham	Olson, Barnes	Stormon
Haugen	Olson, Bowman	Symington
Heckman	Schimke	Thompson, Griggs
Jennings	Schlafmann	Wambheim
Johnson, Cass		

So the bill passed as amended and the title was agreed to.

Rep. Sailer moved that the vote by which House Bill No. 190 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 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee amendment to House Bill No. 190.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

House Bill No. 13. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 23. A Bill for an Act Making an Appro-

priation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 24. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certificates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

House Bill No. 71. A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund.

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 15-4014 of the North Dakota Revised Code of

1943, Relating to the Amount of High School Tuition, the Amount of Payments, and the Tuition of Students Attending School in a Foreign School.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 134. A Bill for an Act Specifying the Term, Interest and Payment of Farm Loans Made by the Commissioner of University and School Lands; and Amending and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised Code of North Dakota for 1943, Relating to the Registration of Motor Trucks, Truck-tractors, Trailers and Semi-trailers on a Gross Weight Basis.

House Bill No. 194. A Bill for an Act Authorizing Administration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the Armed Forces of the United States of America; Declaring Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of 1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.

House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.

House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "High-

way Operating Fund" in the State Treasury, and Declaring an Emergency.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943, as Amended by Chapter 15 of the Special Session Laws of 1944, Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial; and Declaring an Emergency.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict; and Declaring an Emergency.

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund.

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on the Postwar Military Establishment and the Status of the National Guard.

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

Which the President has signed.

W. J. TROUT, Secretary.

#### CONSIDERATION OF MESSAGES FROM THE SENATE

House Concurrent Resolution "DD".

In line 20 of the original resolution after the word "agriculture" strike out the period, insert a comma, and the following language: "that all other machinery manufactured and not used which can be used for agricultural purposes be released to farmers."

Rep. Lillehaugen moved that the House concur in the Senate amendments to House Concurrent Resolution "DD", which motion prevailed.

Rep. Lillehaugen moved that the rules be suspended and House Concurrent Resolution "DD" be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

Rep. Bureau moved that House Concurrent Resolution "DD" be adopted, which motion prevailed and House Concurrent Resolution "DD" was declared adopted.

Rep. Lillehaugen moved that the vote by which House Concurrent Resolution "DD" was adopted be reconsidered and the motion to reconsider be laid on the table, 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 Engrossment respectfully report that they have examined the following resolutions:

House Concurrent Resolution "AA".

House Concurrent Resolution "CC".

House Concurrent Resolution "EE".

And find the same correctly Enrolled.

REP. LEET, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 121.

House Bill No. 147.

House Bill No. 114.

House Bill No. 220.

And find the same correctly enrolled.

REP. LEET, Chairman.

Rep. Bureau moved that the report be adopted, which motion prevailed, and the report was adopted.

**MESSAGE TO THE SENATE**

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution "DD".

KENNETH L. MORGAN, Chief Clerk.

**MESSAGE FROM THE SENATE**

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee on House Bill No. 29, Senators Brunsdale, Stucke and Young.

W. J. TROUT, Secretary.

**REPORT OF SELECT COMMITTEES**

The Conference Committee on House Bill No. 29 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 29, have had the same under consideration and are unable to agree and beg to be discharged and a new Conference Committee appointed.

For the House:  
E. D. SYMINGTON  
HARRY STORMON  
J. H. HECKMAN.

For the Senate:  
G. F. DREW  
ORRIS G. NORDHAUGEN  
HARRY O'BRIEN.

Representative Symington moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Richland moved that a new Conference Committee on House Bill No. 29 be appointed, which motion prevailed. The Speaker appointed Reps. Johnson of Richland, Bolmeier and Devlin.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has refused to adopt the Conference Committee amendment to House Bill No. 29, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives Johnson of Richland, Bolmeier and Devlin.

KENNETH L. MORGAN, Chief Clerk.

#### FIRST READING OF HOUSE RESOLUTIONS

##### HOUSE MEMORIAL RESOLUTION No. 1

Presented by Reps. Schnell, Schmalenberger  
and Sticka

WHEREAS, God in His infinite wisdom has seen fit to summon to eternal rest his servant and our former House member, the late John F. Zimmerman, who passed to his reward on May 7, 1944, and

WHEREAS, John F. Zimmerman served as a highly respected member of the House of Representatives of the 31st Legislative District of Stark County, North Dakota, for the years 1925 to 1929, and

WHEREAS, John F. Zimmerman, in public and in private life was admired by his fellow men for his every act of foresightedness and characterized wisdom and loyalty to his community and to his state, and

WHEREAS, his passing is a severe loss to his community and to his state and a cause for personal grief to his former associates in the House of Representatives of the State of North Dakota.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the 29th Legislative Assembly, of the State of North Dakota that we express our sincere sympathy to the family of our former colleague and to the members of his community, and

BE IT FURTHER RESOLVED, That this Resolution be printed in the Journal of the House of Representatives and that a copy thereof be mailed by the Chief Clerk to his wife, Mrs. John F. Zimmerman of Richardton, North Dakota; and to his children, Leo J. Zimmerman of Seattle, Washington; Rosemary Lantz of Los Angeles, California; Julius Zimmerman of Richardton, North Dakota; Emelia Walls of Richardton, North Dakota, and Pauline Hoerner of Richardton, North Dakota.

#### HOUSE MEMORIAL RESOLUTION No. 2

Introduced by Representatives Haag, Schmidt of Logan and Wolf of McIntosh

WHEREAS, the late Harley D. Sheppard of the Thirty-sixth Legislative District passed to his eternal reward on October 24, 1943;

WHEREAS, he represented said Legislative District in the Nineteenth Assembly, and in private life was a splendid example of integrity, loyalty, and conscientious endeavor of good citizenship; and

WHEREAS, in his passing North Dakota has lost a true friend and a leader in the preservation of sound liberal government, honestly administered;

NOW, THEREFORE, BE IT RESOLVED by this House of Representatives of the Twenty-ninth Legislative Assembly, that we express the keen sorrow which we feel because of his passing, and that an engrossed copy of this Resolution be sent by the Chief Clerk of the House of Representatives to Fred Sheppard at Burnstad, North Dakota.

#### HOUSE MEMORIAL RESOLUTION No. 3

Presented by Reps. Blair, Saumur and Allen of Grand Forks

WHEREAS, Keith L. Boulden was called to his eternal reward on January 27, 1945 while serving in the House of Representatives of the 29th Legislative Assembly; and

WHEREAS, Keith L. Boulden was born at Montfort, Wisconsin, October 18, 1879, was educated there in the public schools and as young man moved with his parents to Walnut Grove, Minnesota, where he was married in 1902 to Miss Fanny Swoffer and in the same year he and his bride moved to Logan Center Township, Grand Forks County, North Dakota, where he farmed until 1923 when he and his family moved to Moraine Township, Grand Forks County, where he lived the rest of his life; and

WHEREAS, he was first elected to the North Dakota House of Representatives in 1938 serving as a representative of the 5th legislative district in the sessions of 1939, 1941, 1943 and

at the 1945 session until illness forced him into the hospital; and

WHEREAS, he leaves his wife, Fanny Swoffer Boulden, a son, Alfred S. Boulden, and two daughters, Mrs. Peter W. Peterson and Mrs. Herbert D. Welte; and

WHEREAS, Keith L. Boulden was an able legislator, a highly respected citizen of his community, a loyal friend and a great believer in good government.

THEREFORE, BE IT RESOLVED, by the House of Representatives of the State of North Dakota that we express our heartfelt appreciation for the valuable services rendered by our distinguished citizen and that we express our keen sorrow at his passing; and

BE IT FURTHER RESOLVED, that the passing of Keith L. Boulden is a severe loss to the State of North Dakota, to Grand Forks County and to his home community.

BE IT FURTHER RESOLVED, by the House of Representatives of the 29th Legislative Assembly of the State of North Dakota, that the sincerest appreciation of the loyal and devoted service of this distinguished citizen be thus formally expressed.

BE IT FURTHER RESOLVED, That this resolution be printed in the House Journal and that the Chief Clerk be instructed to send properly executed copies to his wife at Larimore; R. S. Boulden, Vancouver, Washington; Francis W. Boulden, Portland, Oregon; Miss May Boulden, Portland, Oregon; Mrs. H. D. Welte, New Britain, Conn.; Mrs. P. W. Peterson, Aneta, North Dakota; Alfred S. Boulden, Larimore, North Dakota; Albert C. Knight, Walker, Minnesota; W. A. Swoffer, Walnut Grove, Minnesota.

#### HOUSE MEMORIAL RESOLUTION No. 4

Introduced by Reps. Haag, Schmidt of Logan  
and Wolf of McIntosh

WHEREAS, God in His wisdom has seen fit to summon to eternal rest, His servant and our former colleague, the late Jacob Bittner, who passed to his reward on January 12, 1944; and

WHEREAS, Jacob Bittner served as a highly respected member of the House of Representatives of the North Dakota Legislative Assembly, during the 1929 and 1931 sessions; and

WHEREAS, Jacob Bittner in public and in private life, was unselfishly devoted to the service of his fellowmen and the people of this State, and his every act was characterized by foresighted wisdom and loyalty to his community and his State; and

WHEREAS, his passing is a severe loss to his community and to his State, and a cause for personal grief to his former associates in the House of Representatives of the State of North Dakota,

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE TWENTY-NINTH



**LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

That we express our sincere sympathy to the family of our former colleague and to the members of his community;

**BE IT FURTHER RESOLVED** that this resolution be printed in the Journal of the House of Representatives, and that a copy thereof be mailed by the Chief Clerk to Mrs. Jacob Bittner, 845 South School Street, in Lodi, California.

**HOUSE MEMORIAL RESOLUTION No. 5**

Introduced by Reps. Sharpe and Nystrom

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA:**

**WHEREAS**, the Supreme Ruler of the Universe in His Infinite Wisdom has removed, on April 20, 1944, Hon. Halvor Andrew Rindy from the midst of his family and community, and,

**WHEREAS**, he had served as a Member of the House in the 23rd Legislative Assembly, from the 32nd Legislative District, and,

**WHEREAS**, his tenure of public office was always of devotion of a high degree to those principles of good government, which are essential to efficient and good honest administration;

**THEREFORE, BE IT RESOLVED**, That this House of Representatives express its appreciation for the valuable service rendered by our distinguished citizen; and that we express our keen sorrow of his passing, and

**BE IT RESOLVED**, that this House of Representatives extend to his wife, Mrs. Rindy, and family, its sincere sympathy, and that this Resolution be printed in the House Journal and an enrolled copy of same be sent to his family at Carrington, North Dakota.

**HOUSE MEMORIAL RESOLUTION No. 6**

Introduced by Reps. Haag, Schmidt of Logan and Wolf of McIntosh

**WHEREAS**, our late associate Representative John G. Schmidt of McIntosh County was on July 24, 1943 called to his eternal rest; and

**WHEREAS**, he was an honored member of this House of Representatives from the Thirty-sixth Legislative District during the Nineteenth Legislative Assembly, and in private life a willing worker in any movement beneficial to the people in the community in which he lived;

**NOW, THEREFORE, BE IT RESOLVED** that this House of Representatives of the Twenty-ninth Legislative Assembly express its deepest sympathy to Mrs. Schmidt, and that an enrolled copy of this Resolution be sent by the Chief Clerk of the House of Representatives to Mrs. John G. Schmidt at Wishek, North Dakota.

Rep. Saumur moved that House Memorial Resolutions Nos. 1 to 6, inclusive, be adopted, which motion prevailed and the Memorial Resolutions were adopted.

Rep. Sailer moved that enrolled copies of House Memorial Resolutions Nos. 1 to 6, inclusive, be sent to the relatives of the decedents, which motion prevailed.

Rep. Halcrow moved that House Memorial Resolutions Nos. 1 to 6, inclusive, be printed in the Journal, which motion prevailed.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 21.  
 House Bill No. 22.  
 House Bill No. 48.  
 House Bill No. 109.  
 House Bill No. 161.  
 House Bill No. 203.  
 House Bill No. 223.  
 House Bill No. 228.  
 House Bill No. 239.  
 House Bill No. 268.  
 House Bill No. 278.  
 House Concurrent Resolution "BB".  
 House Concurrent Resolution "G".  
 House Concurrent Resolution "N".  
 House Concurrent Resolution "O".  
 House Concurrent Resolution "X".  
 House Concurrent Resolution "Z".

And the Speaker signed the same in the presence of the House.

#### MESSAGES TO THE SENATE

House of Representatives  
 Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers, and Declaring an Emergency.

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to

Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States Department of the Interior, Fish and Wildlife Service in Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Subsection 3, Section 39-1204 of the Revised Code of North Dakota for 1943, Relating to Length Limitations on Motor Vehicles.

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 96 in Stark County, North Dakota, or Other Suitable and Adequate Acreage Selected by the State Board of Higher Education and Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

House Bill No. 239. A Bill for an Act to Provide Immunity from Liability, in the Absence of Negligent Construction or Operation, for Inductive Interference Caused in Communication Circuits by Electric Facilities; to Repeal All Acts and Parts of Acts in Conflict Herewith; and to Declare an Emergency.

House Bill No. 268. A Bill for an Act to Amend and Re-enact Section 61-2202 of the North Dakota Revised Code of 1943 Providing for Voting at Township Meeting for Drainage Ditches; and Providing a Method of Payment.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 28-1509 and Section 28-1510 of the North Dakota Revised Code of 1943 (Vol. 3), Relating to Directed Verdicts, and Judgment Notwithstanding Verdict in Civil Actions, in the District Court; and Declaring an Emergency.

House Concurrent Resolution "BB".

House Concurrent Resolution "G". A Concurrent Resolution Providing for the Amendment of Section 170 of the Constitution of the State of North Dakota.

House Concurrent Resolution "N." A Concurrent Resolution Memorializing the Congress of the United States to

Propose an Amendment to the Constitution of the United States of America Limiting the Term of Office of a President of the United States to Not More Than Two Consecutive Terms.

House Concurrent Resolution "O." A Concurrent Resolution Memorializing the Congress of the United States to Enact Legislation Placing the Entire Nation Upon Greenwich Time.

House Concurrent Resolution "X." A Concurrent Resolution Authorizing and Directing the Attorney General to Investigate the Roadhouse Situation.

House Concurrent Resolution "Z." A Concurrent Resolution Memorializing Congress, the President of the United States, and Chester Bowles, Administrator of The Office of Price Administration, to Permit the Sale of North Dakota Butter Within Ceiling Prices on the Basis of Its True Commercial Value, and to Cease Unjust Discrimination Against Butter Made in the State of North Dakota.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### THE SEVENTH ORDER OF BUSINESS

Rep. Fitch moved that the courtesies of the floor be extended to Mr. and Mrs. Russell A. Young of Bismarck, mother and father of our Page, Beverly, which motion prevailed and the courtesies of the floor were extended to Mr. and Mrs. Young.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 3.  
 Senate Bill No. 5.  
 Senate Bill No. 6.  
 Senate Bill No. 12.  
 Senate Bill No. 16.  
 Senate Bill No. 22.  
 Senate Bill No. 25.  
 Senate Bill No. 27.  
 Senate Bill No. 28.  
 Senate Bill No. 32.  
 Senate Bill No. 43.  
 Senate Bill No. 53.  
 Senate Bill No. 59.  
 Senate Bill No. 67.  
 Senate Bill No. 71.  
 Senate Bill No. 72.  
 Senate Bill No. 73.  
 Senate Bill No. 74.  
 Senate Bill No. 94.  
 Senate Bill No. 109.

Senate Bill No. 120.  
 Senate Bill No. 127.  
 Senate Bill No. 135.  
 Senate Bill No. 140.  
 Senate Bill No. 142.  
 Senate Bill No. 145.  
 Senate Bill No. 155.  
 Senate Bill No. 175.  
 Senate Bill No. 190.  
 Senate Bill No. 209.  
 Senate Concurrent Resolution 2.  
 Senate Concurrent Resolution 13.  
 Senate Concurrent Resolution 16.  
 House Bill No. 114.  
 House Bill No. 121.  
 House Bill No. 147.  
 House Bill No. 220.  
 House Concurrent Resolution "AA".  
 House Concurrent Resolution "CC".  
 House Concurrent Resolution "EE".

And the Speaker signed the same in the presence of the House.

**House of Representatives**  
 Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Senate Bill No. 22. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Commissioner of Veterans' Affairs.

Senate Bill No. 25. A Bill for an Act Making an Appro-

priation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senate Bill No. 32. A Bill for an Act Transferring to the Veterans Post-War Rehabilitation Reserve Fund the Sum of Five Hundred Thousand Dollars (\$500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service of the United States to Hunt, Fish or Trap, Without License Therefor for the Duration of the Present War, and for Six Months Thereafter, While on Furlough.

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Senate Bill No. 72. A Bill for an Act Accepting from the United States the Lands and Improvements Comprising the Bismarck Indian School Plant, to Be Known as Fraine Barracks, and Declaring an Emergency.

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of Fraine Barracks in Burleigh County, North Dakota; Providing for Method of Disbursement, and Declaring an Emergency.

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Section 26-1501 of the North Dakota Revised Code of 1943, Relating to Organization of County Mutual Insurance Companies.

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Attorney General of the State of North Dakota to Retailers of Alcohol and Alcoholic Beverages. Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Attorney General, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Compliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Senate Bill No. 155. A Bill for an Act to Permit a Levy of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law.

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings, Specifications, Procedures, and Other Actions Preliminary

to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Section 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

Senate Concurrent Resolution No. 2. A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.

Senate Concurrent Resolution No. 16. State Land Department Authorized to Accept Bid of Returned Veterans on Sale of Original Grant Lands.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Overtime or Premium Pay or Penalties on Wages Required or Authorized by Any Statute, to a Period of Two Years After the Accrual of the Right to Such Pay, and Declaring An Emergency.

House Bill No. 121. A Bill for an Act to Amend and Re-enact Section 15-4011 of the North Dakota Revised Code of 1943, Relating to the Determination of Sums Due School Districts from the State Equalization Fund on Per Pupil Basis, to Amend and Re-enact Section 15-4012, Relating to the Distribution of Payments on a Per Pupil Basis.

House Bill No. 147. A Bill for an Act Prohibiting Sale or Delivery of Beer, Alcohol and Alcoholic Beverages to Certain Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 and Section 7-0417 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations and Repayment of the Same.

House Concurrent Resolution "AA".

House Concurrent Resolution "CC".

House Concurrent Resolution "EE".

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.



## MESSAGES FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:  
House Concurrent Resolution "FF".  
Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

## REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 29 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 29, have had the same under consideration and recommend that the Senate recede from its amendment in line 10 of the engrossed bill, and that the bill be amended in the same line by striking the figures "\$3,400,000.00" and inserting in lieu thereof the figures "\$3,600,000.00"; that the House concur in the Senate amendment in line 16 and line 28 of the engrossed bill.

For the House:

V. M. JOHNSON, Richland  
THOS. V. DEVLIN  
WESLEY L. BOLMEIER.

For the Senate:

C. N. BRUNSDALE  
M. R. YOUNG  
E. C. STUCKE.

Rep. Johnson of Richland moved that the report be adopted.

Rep. Allen of Grand Forks moved that the House do not concur in the Senate Amendments to House Bill No. 29.

Rep. Anderson offered as a substitute motion that the House do concur in the Senate amendments to House Bill No. 29, which motion prevailed.

Rep. Anderson moved that the rules be suspended and House Bill No. 29 be considered properly re-engrossed and placed on second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 2; absent and not voting, 21.

Those voting in the affirmative were:

Acheson	Grenier	Pyle
Allen, Grand Forks	Haag	Rohrer

Allen, Pierce	Halcrow	Sailer
Anderson	Halvorson	Sandness
Arndt	Haugland	Saumur
Bagge	Heckman	Schmalenberger
Baumgartner	Hegge	Schmidt, Logan
Belzer	Herk	Schnell
Benno	Hildre	Schwartz
Bjella	Hogoboom	Seibel
Blair	Hovey	Sellens
Bolmeier	Isaak	Severson
Boucher	Johnson, Richland	Sharpe
Bubel	Langley	Skaar
Bureau	Leet	Smart
Collette	Levin	Stair
Dalzell	Lillehaugen	Stanley
Devlin	Lindberg	Still
Dittmer	Luick	Stormon
Drawz	Lysne	Symington
Drovdal	McInnes	Thompson, Griggs
Ekren	Moe	Thompson, Rich'nd
Engel	Moerke	Tuff
Esterby	Monson	Wambheim
Falconer	Mork	Welk
Fitch	Mortenson	Westby
Fleck	Nystrom	Wolf, Morton
Frank	Ohnstad	Wollitz
Fraser	Olson, Barnes	Mr. Speaker
Fuglestad	Ostgulen	

Those voting in the negative were:

Brady	Yirchott
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Absent and not voting:

Bymers	Hofstrand	Olson, Bowman
Callahan	Jennings	Schimke
Crockett	Johnson, Cass	Schlafmann
Forseth	Klefstad	Schmidt, Morton
Gainor	Larson	Shockman
Graham	Maher	Sticka
Haugen	Mollet	Wolf, McIntosh

So the bill passed as amended and the title was agreed to.

Rep. Anderson moved that the vote by which House Bill No. 29 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee amendment to House Bill No. 29.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE FROM THE SENATE

Senate Chamber  
Bismarck, March 2, 1945

Mr. Speaker: I have the honor to inform you that the

Senate has adopted the report of the Conference Committee on House Bill No. 29.

W. J. TROUT, Secretary.

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. 1.  
House Bill No. 2.  
House Bill No. 3.  
House Bill No. 27.  
House Bill No. 29.  
House Bill No. 83.  
House Bill No. 62.  
House Bill No. 75.  
House Bill No. 122.  
House Bill No. 172.  
House Bill No. 177.  
House Bill No. 180.  
House Bill No. 185.  
House Bill No. 190.  
House Bill No. 222.  
House Bill No. 234.  
House Bill No. 258.  
House Concurrent Resolution "DD".  
House Concurrent Resolution "FF".  
And find the same correctly Enrolled.

REP. LEET, 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. 1.  
House Bill No. 2.  
House Bill No. 3.  
House Bill No. 27.  
House Bill No. 29.  
House Bill No. 62.  
House Bill No. 75.  
House Bill No. 83.  
House Bill No. 122.  
House Bill No. 172.  
House Bill No. 177.  
House Bill No. 180.  
House Bill No. 185.  
House Bill No. 190.  
House Bill No. 222.  
House Bill No. 234.  
House Bill No. 258.  
House Concurrent Resolution "DD".  
House Concurrent Resolution "FF".

And the Speaker signed the same in the presence of the House.

### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to transmit:

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04 of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redetermin-

ations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on Teacher-Unit Basis, and Providing for Additional Distribution on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, Regulating the Sale and Tagging of Deer Hides, and Providing Exceptions.

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

House Bill No. 234. A Bill for an Act Amending and Re-

enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township Supervisors in Organized Townships and the Board of County Commissioners in Unorganized Townships, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act State and Federal Highways; Repealing All Laws and Parts of Laws in Conflict Herewith.

House Concurrent Resolution "DD." A Concurrent Resolution Memorializing the Director of the War Production Board

With Reference to the Furnishing of Materials for the Manufacture of Farm Machinery.

House Concurrent Resolution "FF".

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 1.  
Senate Bill No. 52.  
Senate Bill No. 213.

And the Speaker signed the same in the presence of the House.

#### MESSAGES TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Section 26-2519 of the North Dakota Revised Code of 1943, Relating to the Expense Fund; Credits To; Levies For Benevolent Societies.

Senate Bill No. 213. A Bill for an Act to Provide for the Taking of Depositions of Witnesses in Impeachment Proceedings; to Compel the Attendance of Witnesses and the Production of Records Before the Officer Before Whom Such Depositions May Be Taken; to Fix Penalties for Refusal; and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

#### SEVENTH ORDER OF BUSINESS

Pursuant to the passage of House Bill No. 83, Speaker Bergesen announced the appointment of the following Members of the House of Representatives as members of the Legislative Interim Committee:

Reps. Levin, Haugen, Stair, Johnson of Richland, Langley and Smart.

In offering these appointments Speaker Bergesen explained his choice as follows:

Speaker Bergesen: You will recall that the Bill as originally introduced proposed that the Speaker appoint six mem-

bers and I advised you that it was my purpose and intention that three should be appointed from each faction.

We had some debate in General Orders and the final result was that each group was to select nine. I had suggested that I would like to sit down with each group and go over the matter of appointments because there are so many things to take into consideration. The matter of location for one thing, the matter of experience and interest along certain lines of activity that a committee of this kind should investigate pertaining to affairs of state.

Now, I am going to confess some disappointment in the suggestions handed to me by the minority group. I find, for instance, that it was conducted on the basis of an election and that the nine who got the most number of votes are the nine whose names were submitted. Personally, I think that that is not the best way to do it because as I said, the personnel of that committee should be selected on the basis as far from party politics as possible. The selection of the group of nine on that basis is not satisfactory, it is not scientific, it is not sound. For instance, I note that in the group of nine submitted, two of the names are men coming from the same legislative district. Now, that is not considering selection from the standpoint of distribution over the State so that you can have representation from different parts.

I have considered that one of the most important and one of the first things that this legislative committee should take up is the matter of education. The schools of the State. We know that our educational setup is not on the basis that it should be. Naturally, there should be representation on that committee of one or more men who have had experience in that line and have shown a deep interest in a better educational system for the State.

Now the minority group have in their membership a member who throughout the many sessions that he has served in this House, has shown an exceedingly keen interest in education and his contribution to the betterment of our educational system in the State, I think has been without question more than that of any other member of the House regardless of faction. I refer to Dr. Hofstrand who has been Chairman of the Committee on Education for several sessions and I think a member of that committee in every session he has been here and certainly has contributed more ideas and constructive ones along that line than any other member sitting in this House. I frankly say, that with that important question being one of the things, and I think about the most important thing, for this legislative committee to investigate, it is a keen disappointment to me that he for one has not been included in the list of nine submitted by the minority faction.

I feel satisfied if the Speaker had been given an opportunity to sit down with the steering committee of that faction and talk it over with them, that the selection would have been on the basis of merit more than from the standpoint of the number of votes that might be cast in accordance with the feeling of the time which may have arisen out of legislation that just recently had been passed in which case there always arises some feeling of friendship or animosity. I think if that had been done an individual like Dr. Hofstrand



certainly would not have been left off and if he could have been included in the group it would have meant a great deal to the work of the legislative committee, its success and the contribution it would make for more constructive legislation. But, I am bound by the terms of the Bill as passed and I must make my selection from the names submitted. You must not take what I have said in any sense any reflection on any of the individuals who have been named. I simply indicate that in my judgment it was a mistake not to include a man as experienced in educational lines and who has contributed so much to the education of the State—it was a mistake to leave him off at a time when education is one of the most important things the committee has to work on.

Out of the nine I have selected Rep. Levin purely because of the fact that he had been a member of the Postwar Planning Board during the last two years and this Research Committee will be carrying on the work of that Board and Mr. Levin can help to correlate the work.

In addition I am selecting Reps. Donnell Haugen and Arlan Stair. I will say that I am selecting those three on the basis of merit and also without any reflection on any other person who was elected but I have indicated to you some of the things that one takes into consideration in making such selection.

In addition—the other members of the House represented on the Committee are Rep. Sellens of Burleigh—he also was a member of the Postwar Planning Board; Rep. Langley, Chairman of the Committee on Education and Rep. Johnson of Richland who had been floor leader.

Rep. Sellens stated he was unable to accept the appointment and Rep. Smart was appointed in his place, making the complete Committee as follows: Reps. Levin, Haugen, Stair, Johnson of Richland, Langley and Smart.

Rep. Fitch moved that all action taken on House Bill No. 58 from and after it was messaged to the House by the Senate, after final passage, be expunged from the House Journal, which motion was lost.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 21.  
 House Bill No. 22.  
 House Bill No. 48.  
 House Bill No. 109.  
 House Bill No. 114.  
 House Bill No. 121.  
 House Bill No. 147.  
 House Bill No. 161.  
 House Bill No. 203.  
 House Bill No. 220.  
 House Bill No. 223.  
 House Bill No. 228.  
 House Bill No. 239.  
 House Bill No. 268.  
 House Bill No. 278.  
 House Bill No. 114.  
 House Bill No. 121.

House Bill No. 134.  
House Bill No. 145.  
House Bill No. 147.  
House Bill No. 158.  
House Bill No. 162.  
House Bill No. 194.  
House Bill No. 196.  
House Bill No. 197.  
House Bill No. 213.  
House Bill No. 219.  
House Bill No. 220.  
House Bill No. 247.  
House Bill No. 259.  
House Bill No. 267.  
House Bill No. 276.  
House Bill No. 277.  
House Bill No. 285.  
House Concurrent Resolution "S".  
House Concurrent Resolution "AA".  
House Concurrent Resolution "CC".  
House Concurrent Resolution "EE".

And the Speaker signed the same in the presence of the House.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 21.  
House Bill No. 22.  
House Bill No. 48.  
House Bill No. 109.  
House Bill No. 161.  
House Bill No. 203.  
House Bill No. 223.  
House Bill No. 228.  
House Bill No. 239.  
House Bill No. 268.  
House Bill No. 278.  
House Concurrent Resolution "G".  
House Bill No. 5.  
House Bill No. 7.  
House Bill No. 8.  
House Bill No. 13.  
House Bill No. 16.  
House Bill No. 18.  
House Bill No. 19.  
House Bill No. 20.  
House Bill No. 23.  
House Bill No. 24.  
House Bill No. 25.  
House Bill No. 28.  
House Bill No. 32.  
House Bill No. 44.  
House Bill No. 49.  
House Bill No. 55.  
House Bill No. 71.  
House Bill No. 105.  
House Bill No. 114.  
House Bill No. 119.

House Bill No. 121.  
 House Bill No. 123.  
 House Bill No. 134.  
 House Bill No. 145.  
 House Bill No. 147.  
 House Bill No. 158.  
 House Bill No. 162.  
 House Bill No. 194.  
 House Bill No. 195.  
 House Bill No. 196.  
 House Bill No. 197.  
 House Bill No. 213.  
 House Bill No. 219.  
 House Bill No. 220.  
 House Bill No. 247.  
 House Bill No. 259.  
 House Bill No. 267.  
 House Bill No. 276.  
 House Bill No. 277.  
 House Bill No. 285.

Were delivered to the Governor for his approval at the hour of 11:15 o'clock a. m., March 3, 1945.

REP. LEET, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution "BB".  
 House Concurrent Resolution "O".  
 House Concurrent Resolution "X".  
 House Concurrent Resolution "N".  
 House Concurrent Resolution "Z".  
 House Concurrent Resolution "S".  
 House Concurrent Resolution "AA".  
 House Concurrent Resolution "CC".  
 House Concurrent Resolution "EE".

Were delivered to the Secretary of State at the hour of 10:40 o'clock a. m., March 3, 1945.

REP. LEET, Chairman.

#### MESSAGE FROM THE SENATE

Senate Chamber  
 Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04 of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on Teacher-Unit Basis, and Providing for Additional Distribution on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling

Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, Regulating the Sale and Tagging of Deer Hides, and Providing Exceptions.

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property/a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Superintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Re-

vised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township Supervisors in Organized Townships and the Board of County Commissioners in Unorganized Townships, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act State and Federal Highways; Repealing All Laws and Parts of Laws in Conflict Herewith.

House Concurrent Resolution "DD." A Concurrent Resolution Memorializing the Director of the War Production Board With Reference to the Furnishing of Materials for the Manufacture of Farm Machinery.

House Concurrent Resolution "FF".

Which the President has signed.

W. J. TROUT, Secretary.

#### HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment respectfully reports that:

House Concurrent Resolution "DD".

House Concurrent Resolution "FF".

Were delivered to the Secretary of State at the hour of 1:20 p.m., o'clock, March 3, 1945.

REP. LEET, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No.	1.
House Bill No.	2.
House Bill No.	3.
House Bill No.	27.
House Bill No.	29.

House Bill No. 62.  
 House Bill No. 75.  
 House Bill No. 83.  
 House Bill No. 122.  
 House Bill No. 172.  
 House Bill No. 177.  
 House Bill No. 180.  
 House Bill No. 185.  
 House Bill No. 190.  
 House Bill No. 222.  
 House Bill No. 234.  
 House Bill No. 258.

Were delivered to the Governor for his approval at the hour of 11 a. m., o'clock, March 3, 1945.

REP. LEET, Chairman.

### MESSAGE FROM THE SENATE

Senate Chamber  
 Bismarck, March 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State Aeronautics Committee of North Dakota as Its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate,

Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, and Declaring an Emergency.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 57-1516 of the North Dakota Revised Code of 1943 Providing for a Tax Levy for Building Fund in School Districts and Providing for an Election to Authorize the Levy of Said Tax, and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget, and Declaring an Emergency.

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State, Its Agencies, Municipalities and Other Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services, Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Declaring an Emergency.

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of 1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.



Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the North Dakota Revised Code of 1943 Relating to Fines and Penalties.

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Therefor Through Special Assessments Against the Property Benefited.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Sub-section 10 of Section 7-0208 of the North Dakota Revised Code of 1943, Relating to Loans and Investments of Building and Loan Associations, and Declaring an Emergency.

Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations, Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States or any Instrumentality Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Forcelosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies, and Declaring an Emergency.

Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code of 1943, Relating to the Oath of Office, Filling of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Senate Bill No. 212. A Bill for an Act to Appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring and Emergency.

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Senate Concurrent Resolution No. 9. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

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. 11.  
 Senate Bill No. 13.  
 Senate Bill No. 14.  
 Senate Bill No. 36.  
 Senate Bill No. 55.  
 Senate Bill No. 56.  
 Senate Bill No. 89.  
 Senate Bill No. 97.  
 Senate Bill No. 110.  
 Senate Bill No. 115.  
 Senate Bill No. 122.  
 Senate Bill No. 124.  
 Senate Bill No. 126.  
 Senate Bill No. 129.  
 Senate Bill No. 132.  
 Senate Bill No. 146.

Senate Bill No. 156.  
 Senate Bill No. 167.  
 Senate Bill No. 168.  
 Senate Bill No. 173.  
 Senate Bill No. 176.  
 Senate Bill No. 194.  
 Senate Bill No. 196.  
 Senate Bill No. 203.  
 Senate Bill No. 206.  
 Senate Bill No. 208.  
 Senate Bill No. 212.  
 Senate Concurrent Resolution 8.  
 Senate Concurrent Resolution 9.

And the Speaker signed the same in the presence of the House.

House of Representatives  
 Bismarck, March 2, 1945

Mr. Speaker: I have the honor to return:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State Aeronautics Committee of North Dakota as Its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth,

and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, and Declaring an Emergency.

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 57-1516 of the North Dakota Revised Code of 1943 Providing for a Tax Levy for Building Fund in School Districts and Providing for an Election to Authorize the Levy of Said Tax, and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget, and Declaring an Emergency.

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State. Its Agencies, Municipalities and Other Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services, Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Declaring an Emergency.

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of 1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the North Dakota Revised Code of 1943 Relating to Fines and Penalties.

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Therefor Through Special Assessments Against the Property Benefited.

Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Sub-section 10 of Section 7-0208 of the North Dakota Revised Code of 1943, Relating to Loans and Investments of Building and Loan Associations, and Declaring an Emergency.

Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations, Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States or any Instrumentality Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House of Representatives,  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943. Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Provid-

ing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Forclosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 23-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies, and Declaring an Emergency.

Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code of 1943, Relating to the Oath of Office, Filling of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks, and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Senate Bill No. 212. A Bill for an Act to Appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring an Emergency.

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Senate Concurrent Resolution No. 9. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

Which the Speaker has signed.

KENNETH L. MORGAN, 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 resolutions:

House of Representatives Joint Memorial Resolution.  
House Memorial Resolution 1.  
House Memorial Resolution 2.  
House Memorial Resolution 3.  
House Memorial Resolution 4.  
House Memorial Resolution 5.  
House Memorial Resolution 6.

And find the same correctly enrolled.

REP. LEET, 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 Joint Memorial Resolution.  
 House Memorial Resolution 1.  
 House Memorial Resolution 2.  
 House Memorial Resolution 3.  
 House Memorial Resolution 4.  
 House Memorial Resolution 5.  
 House Memorial Resolution 6.

And the Speaker signed the same in the presence of the House.

#### 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 of Representatives Joint Memorial Resolution.  
 House Memorial Resolution 1.  
 House Memorial Resolution 2.  
 House Memorial Resolution 3.  
 House Memorial Resolution 4.  
 House Memorial Resolution 5.  
 House Memorial Resolution 6.

Were delivered to the Secretary of State for his approval at the hour of 4:05 o'clock p. m., March 3, 1945.

REP. LEET, Chairman.

#### MESSAGE FROM THE SENATE

Senate Chamber  
 Bismarck, March 2, 1945

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Senate Bill No. 85. A Bill for an Act to Amend and Re-

enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

Senate Bill No. 105. A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact Insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto, and Providing Such Associations of Individuals Shall Comply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

#### SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2.  
Senate Bill No. 17.  
Senate Bill No. 69.  
Senate Bill No. 85.  
Senate Bill No. 87.  
Senate Bill No. 105.  
Senate Bill No. 192.  
Senate Bill No. 211.

And the Speaker signed the same in the presence of the House.

#### MESSAGE TO THE SENATE

House of Representatives  
Bismarck, March 2, 1945

Mr. President: I have the honor to return:

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration



Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

Senate Bill No. 105. A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact Insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto, and Providing Such Associations of Individuals Shall Comply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate and the House of Representatives and Officers and Employees and the Method of Payment in Impeachment Proceedings.

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

Rep. Fitch moved that the House do now recess until the 22nd day of May 1945 at 2:00 o'clock p. m., which motion prevailed and the House stood recessed.

KENNETH L. MORGAN, Chief Clerk.

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Explanation of Vote, 218, 510, 590, 723, 855, 895.  
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# RECORD OF HOUSE BILLS IN THE HOUSE

## House Bill No. 1—(Committee on Appropriations)

House Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Subdivisions Thereof, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

Introduction, first reading, 63.  
Referred to Committee on Appropriations.  
Reported back, 425.  
Amended, 425.  
General Orders, 450.  
Engrossed, 500.  
Second reading, 502, 1135.  
Passed, 502, 1135.  
Other action, 1105, 1134, 1136.  
Conference Committee, 1107, 1109, 1117.  
Forwarded to Senate, 523, 1193.  
Returned by Senate, 1018, 1200.  
Senate action, amended, 1018, 1136.  
Enrolled, 1192.  
Signed by Speaker, 1192.  
Forwarded to Governor, 1203.

## House Bill No. 2—(Committee on Appropriations)

House Bill No. 2. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Introduction, first reading, 63.  
Referred to Committee on Appropriations.  
Reported back, 118.  
Amended, 118.  
Engrossed, 136.  
Second reading, 140, 1129.  
Passed, 140, 1129.  
Other action, 1129.  
Forwarded to Senate, 163, 1193.  
Returned by Senate, 1038, 1200.  
Senate action, amended, 1039.  
Enrolled, 1192.  
Signed by Speaker, 1192.  
Forwarded to Governor, 1203.

## House Bill No. 3—(Committee on Appropriations)

House Bill No. 3. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Introduction, first reading, 63.  
Referred to Committee on Appropriations.  
Reported back, 119.

Amended, 119.  
 Engrossed, 137.  
 Second reading, 114, 1169.  
 Passed, 141, 1169.  
 Other action, 1169, 1172.  
 Forwarded to Senate, 163, 1193.  
 Returned by Senate, 1060, 1200.  
 Senate action, amended, 1060.  
 Enrolled, 1192.  
 Signed by Speaker, 1192.  
 Forwarded to Governor, 1203.

**House Bill No. 4—(Committee on Appropriations)**

House Bill No. 4. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Introduction, first reading, 63.  
 Referred to Committee on Appropriations.  
 Reported back, 119.  
 Amended, 119.  
 Engrossed, 137.  
 Second reading, 142, 813.  
 Passed, 142, 813.  
 Other action, 813.  
 Forwarded to Senate, 163, 818, 881.  
 Returned by Senate, 756, 1095.  
 Senate action, amended, 756.  
 Enrolled, 873.  
 Signed by Speaker, 876.  
 Forwarded to Governor, 1104.

**House Bill No. 5—(Committee on Appropriations)**

House Bill No. 5. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

Introduction, first reading, 63.  
 Referred to Committee on Appropriations.  
 Reported back, 111.  
 Amended, 111.  
 Engrossed, 116.  
 Second reading, 121.  
 Passed, 121.  
 Forwarded to Senate, 138, 1080.  
 Returned by Senate, 993, 1174.  
 Senate action, passed, 994.  
 Enrolled, 1058.  
 Signed by Speaker, 1075.  
 Forwarded to Governor, 1199.

**House Bill No. 6—(Committee on Appropriations)**

House Bill No. 6. A Bill for an Act Making an Appropriation to Pay for the Improvements of the Property for Military Uses on Rock Island, Ramsey County, North Dakota.

Introduction, first reading, 63.  
 Referred to Committee on Appropriations.  
 Reported back, 135.  
 Indefinitely postponed, 135.

**House Bill No. 7—(Committee on Appropriations)**

House Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Paying the Administrative Expenses and the State Aid of the State Equalization Fund.

Introduction, first reading, 63.  
 Referred to Committee on Appropriations.  
 Reported back, 224.  
 General Orders, 346.  
 Engrossed, 352.  
 Second reading, 378, 997.  
 Passed, 378, 997.  
 Other action, 997, 1010.  
 Forwarded to Senate, 402, 1113.  
 Returned by Senate, 992, 1174.  
 Senate action, amended, 993.  
 Enrolled, 1085.  
 Signed by Speaker, 1111.  
 Forwarded to Governor, 1199.

**House Bill No. 8—(Committee on Appropriations)**

House Bill No. 8. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

Introduction, first reading, 63.  
 Referred to Committee on Appropriations.  
 Reported back, divided report, 416, 417.  
 General Orders, 449.  
 Amended, 510.  
 Engrossed, 466, 518.  
 Second reading, 510.  
 Passed, 510.  
 Forwarded to Senate, 524, 1080.  
 Returned by Senate, 993, 1174.  
 Senate action, passed, 994.  
 Enrolled, 1058.  
 Signed by Speaker, 1075.  
 Forwarded to Governor, 1199.

**House Bill No. 9—(Committee on Appropriations)**

House Bill No. 9. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Introduction, first reading, 64.  
 Referred to Committee on Appropriations.  
 Reported back, 111.  
 Amended, 111.  
 Engrossed, 116.  
 Second reading, 122, 814.  
 Passed, 122, 815.  
 Other action, 814.  
 Forwarded to Senate, 138, 818, 881.  
 Returned by Senate, 756, 1095.  
 Senate action, amended, 756.  
 Enrolled, 873.  
 Signed by Speaker, 876.  
 Forwarded to Governor, 1104.

**House Bill No. 10—(Committee on Appropriations)**

House Bill No. 10. A Bill for an Act Making an Appro-



**provision for Operation and Maintenance of the Auto Transportation Division.**

Introduction, first reading, 64.  
 Referred to Committee on Appropriations.  
 Reported back, 130, 131.  
 Amended, 130, 131.  
 Engrossed, 137.  
 Second reading, 143.  
 Passed, 143.  
 Forwarded to Senate, 163, 881.  
 Returned by Senate, 808, 1095.  
 Senate action, passed, 810.  
 Enrolled, 873.  
 Signed by Speaker, 876.  
 Forwarded to Governor, 1104.

**House Bill No. 11—(Committee on Appropriations)**

**House Bill No. 11. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Department of Weights and Measures.**

Introduction, first reading, 64.  
 Referred to Committee on Appropriations.  
 Reported back, 111.  
 Amended, 111.  
 Engrossed, 116.  
 Second reading, 122, 123, 899.  
 Passed, 123, 899.  
 Other action, 911.  
 Forwarded to Senate, 138, 998.  
 Returned by Senate, 810, 1095.  
 Senate action, amended, 810.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 12—(Committee on Appropriations)**

**House Bill No. 12. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).**

Introduction, first reading, 64.  
 Referred to Committee on Appropriations.  
 Reported back, 112.  
 Amended, 112.  
 Engrossed, 116.  
 Second reading, 123.  
 Passed, 123.  
 Forwarded to Senate, 138, 881.  
 Returned by Senate, 809, 1095.  
 Senate action, passed 810.  
 Enrolled, 873.  
 Signed by Speaker, 877.  
 Forwarded to Governor, 1104.

**House Bill No. 13—(Committee on Appropriations)**

**House Bill No. 13. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.**

Introduction, first reading, 64.  
 Referred to Committee on Appropriations.  
 Reported back, 112.  
 Amended, 112.  
 Engrossed, 116.  
 Second reading, 124.  
 Passed, 124.  
 Other action, re-referred to Appropriation Committee, 133.  
 Reported back, 287, amended.  
 Engrossed, 301.  
 Second reading, 329.  
 Forwarded to Senate, 351, 1080.  
 Returned by Senate, 993, 1174.  
 Senate action, passed, 994.  
 Enrolled, 1058.  
 Signed by Speaker, 1075.  
 Forwarded to Governor, 1199.

**House Bill No. 14—(Committee on Appropriations)**

House Bill No. 14. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Introduction, first reading, 64.  
 Referred to Committee on Appropriations.  
 Reported back, 135.  
 Amended, 135.  
 General Orders, 156.  
 Engrossed, 165.  
 Second reading, 165, 168.  
 Amended, 168.  
 Passed, 168.  
 Re-engrossed, 178.  
 Forwarded to Senate, 183, 932.  
 Returned by Senate, 888, 1095.  
 Senate action, passed, 888.  
 Enrolled, 925.  
 Signed by Speaker, 930.  
 Forwarded to Governor, 1104.

**House Bill No. 15—(Committee on Appropriations)**

House Bill No. 15. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf at Devils Lake, North Dakota.

Introduction, first reading, 64.  
 Referred to Committee on Appropriations.  
 Reported back, 136.  
 Amended, 136, 169, 582.  
 General Orders, 157.  
 Engrossed, 165.  
 Second reading, 165, 169, 582.  
 Passed, 169, 582.  
 Re-engrossed, 178.  
 Other action, 594.  
 Forwarded to Senate, 183, 674.  
 Returned by Senate, 551, 738.  
 Senate action, 551.

Enrolled, 666.  
Signed by Speaker, 667,  
Forwarded to Governor, 743.  
Approved by Governor, 842.

**House Bill No. 16—(Committee on Appropriations)**

House Bill No. 16. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Introduction, first reading, 64.  
Referred to Committee on Appropriations.  
Reported back, 129, 130.  
Amended, 130, 583.  
General Orders, 144.  
Engrossed, 149.  
Second reading, 151, 583.  
Passed 151, 583.  
Other action, 594, 595.  
Forwarded to Senate, 163, 596, 1081.  
Returned by Senate, 551, 993, 1174.  
Senate action, 551; passed, 994.  
Enrolled, 1058.  
Signed by Speaker, 1075.  
Forwarded to Governor, 1199.

**House Bill No. 17—(Committee on Appropriations)**

House Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

Introduction, first reading, 65.  
Referred to Committee on Appropriations.  
Reported back, 130.  
Amended, 130.  
General Orders, 144.  
Engrossed, 149.  
Second reading, 152, 1158.  
Passed 152, 1158.  
Other action, 1158, 1159.  
Forwarded to Senate, 163, 631.  
Returned by Senate, 550, 660.  
Senate action, 551.  
Enrolled, 626.  
Signed by Speaker, 607.  
Forwarded to Governor, 676.  
Approved by Governor, 742.

**House Bill No. 18—(Committee on Appropriations)**

House Bill No. 18. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Introduction, first reading, 65.  
Referred to Committee on Appropriations.  
Reported back, 112, 113.  
Amended, 113.  
Engrossed, 116.

Second reading, 125, 979.  
 Passed, 125, 979.  
 Other action, 979, 1011.  
 Forwarded to Senate, 138, 1081.  
 Returned by Senate, 974, 1174.  
 Senate action, amended, 975.  
 Enrolled, 1058.  
 Signed by Speaker, 1075.  
 Forwarded to Governor, 1199.

**House Bill No. 19—(Committee on Appropriations)**

House Bill No. 19. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Introduction, first reading, 65.  
 Referred to Committee on Appropriations.  
 Reported back, 113.  
 Amended, 113.  
 Engrossed, 116.  
 Second reading, 126.  
 Passed, 126.  
 Forwarded to Senate, 138, 1081.  
 Returned by Senate, 965, 1174.  
 Senate action, passed, 965.  
 Enrolled, 1058.  
 Signed by Speaker, 1075.  
 Forwarded to Governor, 1199.

**House Bill No. 20—(Committee on Appropriations)**

House Bill No. 20. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Introduction, first reading, 65.  
 Referred to Committee on Appropriations.  
 Reported back, 136.  
 Second reading, 153, 1001.  
 Passed, 153, 1001.  
 Other action, 595, 1001, 1010.  
 Forwarded to Senate, 163, 596, 1113.  
 Returned by Senate, 551, 992, 1174.  
 Senate action, 551; amended, 993.  
 Enrolled, 1085.  
 Signed by Speaker, 1111.  
 Forwarded to Governor, 1199.

**House Bill No. 21—(Committee on Appropriations)**

House Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Penitentiary.

Introduction, first reading, 65.  
 Referred to Committee on Appropriations.  
 Reported back, 189.  
 Amended, 189.  
 General Orders, 209.  
 Engrossed, 213.  
 Second reading, 218, 1002, 1091.

Passed, 218, 1002, 1091.  
 Other action, 1002, 1010, 1048, 1060, 1091, 1098.  
 Conference Committee, 1010, 1048.  
 Forwarded to Senate, 226, 1183.  
 Returned by Senate, 992.  
 Senate action, amended, 993.  
 Enrolled, 1157.  
 Signed by Speaker, 1183.  
 Forwarded to Governor, 1199.

**House Bill No. 22—(Committee on Appropriations)**

House Bill No. 22. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Introduction, first reading, 65.  
 Referred to Committee on Appropriations.  
 Reported back, 130.  
 Amended, 130.  
 General Orders, 145.  
 Engrossed, 149.  
 Second reading, 154, 1003.  
 Passed, 154, 1004.  
 Other action, 1003, 1021.  
 Forwarded to Senate, 163, 1183.  
 Returned by Senate, 993.  
 Senate action, amended, 993.  
 Enrolled, 1157.  
 Signed by Speaker, 1183.  
 Forwarded to Governor, 1199.

**House Bill No. 23—(Committee on Appropriations)**

House Bill No. 23. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building and Equipment of the State Hospital for the Insane at Jamestown, North Dakota.

Introduction, first reading, 65.  
 Referred to Committee on Appropriations.  
 Reported back, 177.  
 Amended, 177, 584.  
 Engrossed, 178.  
 Second reading, 184, 584.  
 Passed, 184, 584.  
 Other action, 594, 595.  
 Forwarded to Senate, 190, 596, 1113.  
 Returned by Senate, 551, 993, 1174.  
 Senate action, 551; passed, 994.  
 Enrolled, 1085.  
 Signed by Speaker, 1111.  
 Forwarded to Governor, 1199.

**House Bill No. 24—(Committee on Appropriations)**

House Bill No. 24. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

Introduction, first reading, 65.  
 Referred to Committee on Appropriations.

Reported back, 210.  
Amended, 210.  
General Orders, 245.  
Engrossed, 250.  
Second reading, 255.  
Passed, 255.  
Forwarded to Senate, 275, 1081.  
Returned by Senate, 993, 1175.  
Senate action, passed, 994.  
Enrolled, 1058.  
Signed by Speaker, 1075.  
Forwarded to Governor, 1199.

**House Bill No. 25—(Committee on Appropriations)**

House Bill No. 25. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Introduction, first reading, 66.  
Referred to Committee on Appropriations.  
Reported back, 149.  
Amended, 149, 171.  
General Orders, 164.  
Engrossed, 165, 178.  
Second reading, 185.  
Passed, 185.  
Forwarded to Senate, 190, 1081.  
Returned by Senate, 969, 1175.  
Senate action, passed, 970.  
Enrolled, 1058.  
Signed by Speaker, 1075.  
Forwarded to Governor, 1199.

**House Bill No. 26—(Committee on Appropriations)**

House Bill No. 26. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Introduction, first reading, 66.  
Referred to Committee on Appropriations.  
Reported back, 286.  
Amended, 286.  
Engrossed, 302.  
Second reading, 330.  
Passed, 330.  
Forwarded to Senate, 352, 932.  
Returned by Senate, 888, 1095.  
Senate action, passed, 888.  
Enrolled, 925.  
Signed by Speaker, 930.  
Forwarded to Governor, 1104.

**House Bill No. 27—(Committee on Appropriations)**

House Bill No. 27. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for

**Other Specified Relief Expenditures and Costs of Administration.**

Introduction, first reading, 66.  
 Referred to Committee on Appropriations.  
 Reported back, 176, 433.  
 Amended, 176, 433.  
 Engrossed, 178, 500.  
 Re-referred to Committee on Appropriations, 199.  
 Second reading, 497, 1155.  
 General Orders, 449.  
 Passed, 497, 1155.  
 Other action, 1155, 1156.  
 Forwarded to Senate, 524, 1193.  
 Returned by Senate, 1060, 1201.  
 Senate action, amended, 1060.  
 Enrolled, 1192.  
 Signed by Speaker, 1192.  
 Forwarded to Governor, 1203.

**House Bill No. 28—(Committee on Appropriations)**

House Bill No. 28. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Introduction, first reading, 66.  
 Referred to Committee on Appropriations.  
 Reported back, 175, 433.  
 Amended, 175, 433.  
 Engrossed, 178.  
 Re-referred to Committee on Appropriations, 199.  
 Second reading, 501.  
 General Orders, 449.  
 Passed, 501.  
 Forwarded to Senate, 524, 1114.  
 Returned by Senate, 1026, 1175.  
 Senate action, passed, 1027.  
 Enrolled, 1085.  
 Signed by Speaker, 1111.  
 Forwarded to Governor, 1199.

**House Bill No. 29—(Committee on Appropriations)**

House Bill No. 29. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1st, 1945, and Ending June 30th, 1947, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Introduction, first reading, 66.  
 Referred to Committee on Appropriations.  
 Re-referred, 199.  
 Reported back, 177, 438.  
 Amended, 177; divided report, 438, 439.  
 Engrossed, 178, 545.  
 General Orders, 191, 520.  
 Second reading, 571, 1190.  
 Passed, 571, 1190.

Other action, 1118, 1146, 1157, 1159, 1179, 1190, 1191.  
Conference Committee, 1122, 1131, 1142, 1143, 1145, 1156,  
1157, 1162, 1178, 1179.  
Forwarded to Senate, 591, 1120, 1193.  
Returned by Senate, 1018, 1122, 1201.  
Senate action, amended, 1018.  
Enrolled, 1192.  
Signed by Speaker, 1192.  
Forwarded to Governor, 1203.

**House Bill No. 30—(Committee on Appropriations)**

House Bill No. 30. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Introduction, first reading, 66.  
Referred to Committee on Appropriations.  
Reported back, 190.  
Second reading, 203.  
Passed, 204.  
Forwarded to Senate, 212, 785.  
Returned by Senate, 755, 1095.  
Senate action, 755.  
Enrolled, 776.  
Signed by Speaker, 776.  
Forwarded to Governor, 1104.

**House Bill No. 31—(Committee on Appropriations)**

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Introduction, first reading, 66.  
Referred to Committee on Appropriations.  
Reported back, 130.  
Second reading, 139.  
Passed, 139.  
Forwarded to Senate 163, 785.  
Returned by Senate, 755, 1095.  
Enrolled, 776.  
Signed by Speaker, 776.  
Forwarded to Governor, 1104.

**House Bill No. 32—(Committee on Appropriations)**

House Bill No. 32. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Introduction, first reading, 67.  
Referred to Committee on Appropriations.  
Reported back, 357.  
Amended, 357.  
General Orders, 398.  
Engrossed, 415.  
Second reading, 421, 978.  
Passed, 421, 978.  
Other action, 977, 1011.



Forwarded to Senate, 441, 1081.  
 Returned by Senate, 975, 1175.  
 Senate action, amended, 975.  
 Enrolled, 1058.  
 Signed by Speaker, 1075.  
 Forwarded to Governor, 1199.

**House Bill No. 33—(Committee on Appropriations)**

House Bill No. 33. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

Introduction, first reading, 67.  
 Referred to Committee on Appropriations.  
 Reported back, 79.  
 Engrossed, 129.  
 Second reading, 83.  
 Passed, 83.  
 Forwarded to Senate, 85.  
 Returned by Senate, 114.  
 Senate action, passed, 114.  
 Enrolled, 129.  
 Signed by Speaker, 133.  
 Forwarded to Governor, 181.

**House Bill No. 34—(Committee on Appropriations)**

House Bill No. 34. A Bill for an Act Making an Appropriation for Clerkhire for the State Library Commission, and Declaring an Emergency.

Introduction, first reading, 67.  
 Referred to Committee on Appropriations.  
 Reported back, 79.  
 Amended, 79.  
 Engrossed, 84.  
 Second reading, 85.  
 Passed, 85.  
 Forwarded to Senate, 86.  
 Returned by Senate, 138.  
 Senate action, passed, 138.  
 Enrolled, 155.  
 Signed by Speaker, 156.  
 Forwarded to Governor, 181.

**House Bill No. 35—(Rep. Bjella)**

House Bill No. 35. A Bill for an Act Suspending Sales of All Agricultural Lands Owned by the State of North Dakota, Its Agencies, and Political Subdivisions, Subject to Specified Exceptions, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 75.  
 Referred to Committee on School and Public Lands.  
 Indefinitely postponed, 136.

**House Bill No. 36—(Committee on Appropriations)**

House Bill No. 36. A Bill for an Act Making an Appropriation for the Deficiency in Salaries of the Elected State

Officials of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1945, and Declaring an Emergency.

Introduction, first reading, 83.  
 Referred to Committee on Appropriations.  
 Reported back, 190.  
 Second reading, 205.  
 Passed, 205.  
 Forwarded to Senate, 212, 420.  
 Returned by Senate, 407, 437.  
 Senate action, 408, 437.  
 Enrolled, 415.  
 Signed by Speaker, 419.  
 Forwarded to Governor, 445.  
 Approved by Governor, 842.

**House Bill No. 37—(Reps. Hovey, Saumur and Brady)**

House Bill No. 37. A Bill for an Act to Amend and Re-enact Subdivisions One (1) and Three (3) of Section 57-1512 of the Revised Code of 1943.

Introduction, first reading, 88.  
 Referred to Committee on Cities and Municipal Corporations.  
 Reported back, 159.  
 Amended, 159, 172, 585.  
 Engrossed, 165.  
 Second reading, 172, 665.  
 Passed, 172, 665.  
 Conference Committee, 585, 595, 597, 664, 676.  
 Forwarded to Senate, 183, 763.  
 Returned by Senate, 551, 941.  
 Senate action, 551, 679.  
 Enrolled, 760.  
 Signed by Speaker, 760.  
 Forwarded to Governor, 958.

**House Bill No. 38—(Reps. Hofstrand, Schnell, Nystrom, Ostgulen, Bymers, Fuglestad, Stair, Olson of Barnes, Bagge, Heckman, Leet, Haugen, Moerke, Mollet, Levin, Moe, Halcrow, Langley and Sandness)**

House Bill No. 38. A Bill for an Act Amending and Re-enacting Section 57-0228 of the North Dakota Revised Code of 1943 Relating to Basis of Assessment of Property for Taxation Purposes, Raising Such Basis from Fifty Per Cent to Seventy-five Per Cent of the Full and True Value of Such Property; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading, 99.  
 Referred to Committee on Tax and Tax Laws.  
 Reported back, 202, 225.  
 Second reading, 229.  
 Passed, 229.  
 Forwarded to Senate, 231, 905, 1000.  
 Senate requested return, 905.  
 Returned by Senate, 373, 918, 1095.  
 Senate action, indefinitely postponed, 373; passed, 918.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 39—(Reps. Hovey and Olson of Barnes)**

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 57-1529 of the North Dakota Revised Code of 1943, Relating to War Emergency Fund; Cities.

Introduction, first reading, 99.  
 Referred to Committee on Cities and Municipal Corporations.  
 Reported back, 160, 210.  
 Amended, 160, 210.  
 Engrossed, 165, 224.  
 Re-referred to Committee on Cities and Municipal Corporations, 184.  
 Second reading, 230.  
 Passed, 230.  
 Forwarded to Senate, 239, 420.  
 Returned by Senate, 407, 437.  
 Senate action, 408, 437.  
 Enrolled, 415.  
 Signed by Speaker, 419.  
 Forwarded to Governor, 445.  
 Approved by Governor, 842.

**House Bill No. 40—(Reps. Ostgulen, Graham, Benno, Gainor, Anderson, Lindberg, Fitch, Hogoboom, Bymers and Hofstrand)**

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 20-1301 of the North Dakota Revised Code of 1943, Relating to Wolf, Coyote and Fox Bounty and Declaring an Emergency.

Introduction, first reading, 99.  
 Referred to Committee on Livestock.  
 Reported back, 186, 238.  
 Amended, 186.  
 General Orders, 193.  
 Engrossed, 194.  
 Re-referred to Committee on Livestock, 231.  
 Second reading, 243.  
 Passed, 243.  
 Forwarded to Senate, 244, 317.  
 Returned by Senate, 290, 336.  
 Senate action, 290.  
 Enrolled, 301.  
 Signed by Speaker, 316.  
 Forwarded to Governor, 342.  
 Approved by Governor, 391, 842.

**House Bill No. 41—(Reps. Haugland, Drovdal, Forseth and Levin)**

House Bill No. 41. A Bill for an Act Providing for the Payment of Expenses to Commissioners of the Public Service Commission.

Introduction, first reading, 110.  
 Referred to Committee on State Affairs.  
 Reported back, 194, 287.  
 Amended, 195.  
 Re-referred to Committee on Appropriations, 195.  
 Engrossed, 201.  
 Indefinitely postponed, 287.

**House Bill No. 42—(Reps. Collette, Lillehaugen and Levin)**

House Bill No. 42. A Bill for an Act Making an Appropriation for the Payment to the City of Grafton for Water Consumed by the Grafton State School, and Declaring an Emergency.

Introduction, first reading, 110.

Referred to Committee on Appropriations.

Reported back, 190.

Second reading, 206.

Passed, 206.

Forwarded to Senate, 212, 631.

Returned by Senate, 550, 660.

Senate action, 551.

Enrolled, 626.

Signed by Speaker, 607.

Forwarded to Governor, 676.

Approved by Governor, 742.

**House Bill No. 43—(Rep. Thompson of Richland)**

House Bill No. 43. A Bill for an Act Making It a Misdemeanor for an Inspector of Election to Wilfully Refuse to Appoint as Judge of Election a Qualified Elector Duly Nominated by the Chairman of the County Central Committee of His Political Party as Provided by Section 16-1008 of the Revised Code of 1943, and Who Presents to Such Inspector Before the Opening of the Polls a Certificate of Nomination Duly Signed as in said Section 16-1008 Provided, and Providing a Penalty Therefor.

Introduction, first reading, 110.

Referred to Committee on Election and Election Privileges.

Reported back, 285.

Indefinitely postponed, 285.

**House Bill No. 44—(Rep. Fitch)**

House Bill No. 44. A Bill for an Act Providing for the Payment of Premiums by Employers, the Determination of Premiums and Providing for Premium Receipts and Certificates to Be Mailed and Providing that Employers Furnish Payroll Information to the Workmen's Compensation Bureau, and the Determination of Status and Report of Actual and Estimated Payrolls, and Providing that Bonuses and Increased Overtime Payments Shall Not Be Included in Payrolls, Amending and Re-enacting Sections 65-0404 and 65-0405 of the Revised Code of 1943, Providing that This Act Shall Be Retroactive to October 1, 1943, Providing for Refunds of Overpayment of Premium Since October 1, 1943, and Declaring an Emergency.

Introduction, first reading, 110.

Referred to Committee on Insurance.

Reported back, 240.

Second reading, 256, 980.

Passed, 256, 981.

Other action, 980, 1011.

Forwarded to Senate, 257, 1114.

Returned by Senate, 940, 1175.

Senate action, amended, 941.

Enrolled, 1085.

Signed by Speaker, 1111.

Forwarded to Governor, 1199.

**House Bill No. 45—(Reps. Schlafmann and Haugen)**

**House Bill No. 45. A Bill for an Act Providing a Method for the Dissolution of Park Districts, and Prescribing the Procedure Therefor.**

Introduction, first reading, 118.  
 Referred to Committee on Cities and Municipal Corporations.  
 Reported back, 211.  
 Second reading, 231.  
 Passed, 231.  
 Forwarded to Senate, 239, 420.  
 Returned by Senate, 407, 437.  
 Senate action, 408, 437.  
 Enrolled, 415.  
 Signed by Speaker, 419.  
 Forwarded to Governor, 445.  
 Approved by Governor, 842.

**House Bill No. 46—(Reps. Leet, Graham, Hofstrand, Stormon and Skaar)**

**House Bill No. 46. A Bill for an Act Requiring That County Auditors Be Notified Whenever Lands Owned by the State as Trustee of the Permanent School Fund Are Sold Upon Contract Providing for a Future Conveyance; and Providing Penalty for Failure to Do So; That Upon Such Notice the County Auditor Put Such Lands Upon the Tax Rolls for Assessment and Levy of Taxes; that Taxes So Levied Be Not a Lien as Against the Vendor So Long as It Retains Title; that Such Taxes Be Cancelled and Stricken from the Tax Rolls by the County Auditor. Upon Notice to Him of the Cancellation of Such Contract; that, in Case of Re-instatement of Such Contract or of Repurchase by the Vendee or His Heirs Under the Provisions of Any Law Granting a Right of Reinstatement or Giving a Preference Right of Purchase, Such Taxes So Stricken Shall Be a Lien Upon the Interest of Such Vendee or His Heirs, But Not Against the Vendor, and for Delinquency and Collection of Such Taxes; that Notice Be Given the County Auditor of Any Reinstatement or Resale; That Upon Reinstatement or Resale Said Lands Be Again Put Upon the Tax Rolls and Assessed and Taxes Levied as Before, Subject to Cancellation of Reinstated Contract; That Before Conveyance Under Reinstated Contract or Repurchase Under Preference Right, All Taxes So Levied and Cancelled and Stricken Shall Be Fully Paid; That the Provisions Hereof Shall Not Apply If Land Is Resold at Public Sale; and Repealing All Acts in Conflict Herewith.**

Introduction, first reading, 139.  
 Referred to Committee on Tax and Tax Laws.  
 Reported back, 202.  
 Second reading, 219, 817.  
 Passed, 220, 817.  
 Other action, 816.  
 Forwarded to Senate, 226, 818, 881.  
 Returned by Senate, 756, 914.  
 Senate action, amended, 756.  
 Enrolled, 873.  
 Signed by Speaker, 877.  
 Forwarded to Governor, 928.  
 Approved by Governor, 1009.

**House Bill No. 47—(Rep Leet)**

House Bill No. 47. A Bill for an Act Legalizing the Operation of Certain School Districts and Fixing the Tax Levies Therein, and Declaring an Emergency.

Introduction, first reading, 145.  
Referred to Committee on Education.  
Reported back, 211.  
Second reading, 232.  
Passed, 232.  
Forwarded to Senate, 239, 420.  
Returned by Senate, 413, 437.  
Senate action, 413, 437.  
Enrolled, 415.  
Signed by Speaker, 419.  
Forwarded to Governor, 445.  
Approved by Governor, 842.

**House Bill No. 48—(Reps. Bubel and Maher)**

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 46-0405 of the Revised Code of 1943, Relating to the Distribution of Session Laws, Compilations and Codifications to County Officers, and Declaring an Emergency.

Introduction, first reading, 150.  
Referred to Committee on Judiciary.  
Reported back, 251.  
Amended, 251.  
General Orders, 296.  
Engrossed, 302.  
Second reading, 331, 1097.  
Passed, 331, 1097.  
Other action, 424, 1062, 1096, 1098.  
Conference committees, 424, 442, 448, 1062.  
Forwarded to Senate, 352, 442, 1183.  
Returned by Senate, 423.  
Senate action, amended, 423.  
Enrolled, 1157.  
Signed by Speaker, 1183.  
Forwarded to Governor, 1199.

**House Bill No. 49—(Rep. Fitch)**

House Bill No. 49. A Bill for an Act Relating to the Authority of Cities to Regulate the Demolition, Repair or Removal of Sub-standard Buildings or Structures.

Introduction, first reading, 150.  
Referred to Committee on Cities and Municipal Corporations.  
Reported back, 211.  
Amended, 211.  
Engrossed, 224.  
Second reading, 233.  
Passed, 233.  
Other action, 424, 920, 937.  
Conference committees, 424, 448.  
Forwarded to Senate, 239, 441, 920, 1081.  
Returned by Senate, 404, 1175.  
Senate action, amended, 404.  
Enrolled, 1058.  
Signed by Speaker, 1075.  
Forwarded to Governor, 1199.

**House Bill No. 50—(Reps. Halvorson, Halcrow and Bagge)**

House Bill No. 50. A Bill for an Act Allowing a Board of Flood Irrigation to Transfer Balance in Sinking Fund, After Payment of Bonded Debt of the Flood Irrigation Project to the Maintenance Fund of the Project for Maintenance Expenses and Payment of Outstanding Maintenance Warrants of the Project.

Introduction, first reading, 150.  
 Referred to Committee on Drainage and Irrigation.  
 Reported back, 211.  
 Second reading, 234.  
 Passed, 234.  
 Forwarded to Senate, 239, 631.  
 Returned by Senate, 550, 660.  
 Senate action, 551.  
 Enrolled, 602.  
 Signed by Speaker, 606.  
 Forwarded to Governor, 676.  
 Approved by Governor, 742.

**House Bill No. 51—(Reps. Drovdal and Anderson)**

House Bill No. 51. A Bill for an Act Making an Appropriation to Reimburse McKenzie County in the sum of Six Thousand One Hundred Seventy-one Dollars and Fifty-six Cents (\$6171.56), Which Sum Was Erroneously and Inadvertently Remitted to the State of North Dakota, and Declaring an Emergency.

Introduction, first reading, 157.  
 Referred to Committee on Appropriations.  
 Reported back, 340.  
 Second reading, 366, 586.  
 Passed, 366, 586.  
 Other action, 594.  
 Forwarded to Senate, 374, 643.  
 Returned by Senate, 551, 661.  
 Senate action, 551.  
 Enrolled, 633.  
 Signed by Speaker, 642.  
 Forwarded to Governor, 676.  
 Approved by Governor, 742.

**House Bill No. 52—(Reps. Ohnstad and Johnson of Richland)**

House Bill No. 52. A Bill for an Act Amending and Re-enacting Section 28-3208 of the North Dakota Revised Code of 1943, Relating to Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

Introduction, first reading, 161.  
 Referred to Committee on Judiciary.  
 Reported back, 240.  
 Amended, 240.  
 Engrossed, 250.  
 Second reading, 257.  
 Passed, 258.  
 Forwarded to Senate, 275, 525.  
 Returned by Senate, 484, 530.

Senate action, 484.  
 Enrolled, 518.  
 Signed by Speaker, 519.  
 Forwarded to Governor, 544.  
 Approved by Governor, 842.

**House Bill No. 53—(Committee on Appropriations)**

House Bill No. 53. A Bill for an Act Making an Appropriation in the Sum of Eleven Hundred Dollars and Fifty-seven Cents (\$1,100.57) to the Board of Administration for the Purchase Price of Chairs for Legislative Committees; and Declaring an Emergency.

Introduction, first reading, 162.  
 Referred to Committee on Appropriations.  
 Reported back, 202.  
 Second reading, 220.  
 Passed, 221.  
 Forwarded to Senate, 227, 785.  
 Returned by Senate, 755, 1095.  
 Senate action, 755.  
 Enrolled, 776.  
 Signed by Speaker, 777.  
 Forwarded to Governor, 1104.

**House Bill No. 54—(Reps. Ohnstad, Johnson of Richland and Saumur)**

House Bill No. 54. A Bill for an Act to Provide for the Discharge of Executors and Administrators of Estates in Which no Annual or Final Account Has Been Filed for Ten Years.

Introduction, first reading, 162.  
 Referred to Committee on Judiciary.  
 Reported back, 353.  
 Indefinitely postponed, 353.

**House Bill No. 55—(Rep. Brady)**

House Bill No. 55. A Bill for an Act to Amend and Re-enact Section 57-2819 of the North Dakota Revised Code of 1943 Relating to the Sale of Real Estate Obtained by the County on Tax Deed.

Introduction, first reading, 162.  
 Referred to Committee on Tax and Tax Laws.  
 Reported back, 201.  
 Amended, 201.  
 Engrossed, 213.  
 Second reading, 222.  
 Passed, 222.  
 Forwarded to Senate, 227, 1081.  
 Returned by Senate, 969, 1175.  
 Senate action, passed, 970.  
 Enrolled, 1059.  
 Signed by Speaker, 1075.  
 Forwarded to Governor, 1199.

**House Bill No. 56—(Committee on Appropriations)**

House Bill No. 56. A Bill for an Act Making an Appropriation for Per Diem and Expenses Incurred by William Bauer



**in Investigating Indian Affairs and Making a Report Thereon, and Declaring an Emergency.**

Introduction, first reading, 165.  
 Referred to Committee on Appropriations.  
 Reported back, 211.  
 Amended, 211.  
 Engrossed, 224.  
 Second reading, 235.  
 Passed, 235.  
 Forwarded to Senate, 239, 631.  
 Returned by Senate, 550, 661.  
 Senate action, 551.  
 Enrolled, 602.  
 Signed by Speaker, 607.  
 Forwarded to Governor, 676.  
 Approved by Governor, 742.

**House Bill No. 57—(Reps. Johnson of Richland, Graham and Ohnstad)**

House Bill No. 57. A Bill for an Act to Amend and Re-enact Section 27-0602 of the North Dakota Revised Code of 1943 Providing for the Salary and Expenses of Court Reporters.

Introduction, first reading, 166.  
 Referred to Committee on Judiciary.  
 Reported back, 240.  
 Amended, 240.  
 Engrossed, 250.  
 Second reading, 258.  
 Passed, 259.  
 Forwarded to Senate, 275, 525.  
 Returned by Senate, 484, 531.  
 Senate action, 484.  
 Enrolled, 518.  
 Signed by Speaker, 519.  
 Forwarded to Governor, 544.  
 Approved by Governor, 842.

**House Bill No. 58—(Rep. Johnson of Richland)**

House Bill No. 58. A Bill for an Act to Amend and Re-enact Section 46-0501 of the North Dakota Revised Code of 1943 as to Newspapers Qualified to do Legal Printing; File Copies with Historical Society; Publishing Notices in Adjoining County; Resumption of Suspended Publication.

Introduction, first reading, 166.  
 Referred to Committee on State Affairs.  
 Reported back, 300.  
 Amended, 300.  
 General Orders, 346.  
 Engrossed, 352.  
 Second reading, 377.  
 Passed, 377.  
 Other action, 1129.  
 Forwarded to Senate, 402.  
 Returned by Senate, 1039.  
 Senate action, amended, 1039.  
 Indefinitely postponed, 1129.

**House Bill No. 59—(Reps. Dalzell, Hofstrand, Haugland and Schnell)**

House Bill No. 59. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Concentrated Commercial Feeding Stuffs, and Providing for the Registration and Labelling Thereof; and Repealing All of Chapter 19-13 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Introduction, first reading, 167.  
Referred to Committee on Livestock.  
Reported back, 251.  
Second reading, 276.  
Passed, 276.  
Forwarded to Senate, 289, 420.  
Returned by Senate, 408, 437.  
Senate action, 408, 437.  
Enrolled, 415.  
Signed by Speaker, 419.  
Forwarded to Governor, 444.  
Approved by Governor, 842.

**House Bill No. 60—(Reps. Klefstad and Olson of Barnes)**

House Bill No. 60. A Bill for an Act Relating to War Emergency Fund Levies in Villages and Repealing All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading, 167.  
Referred to Committee on Cities and Municipal Corporations.  
Reported back, 339.  
Amended, 339.  
Engrossed, 352.  
Second reading, 362.  
Passed, 362.  
Forwarded to Senate, 373.  
Returned by Senate, 600.  
Senate action, indefinitely postponed, 601.

**House Bill No. 61—(Reps. Moe, Fitch, Sandness, Crockett and Levin)**

House Bill No. 61. A Bill for an Act to Amend and Re-enact Section 10-0217 of the North Dakota Revised Code of 1943 Relating to Renewal of Corporate Existence After the Expiration of Charter and Declaring an Emergency.

Introduction, first reading, 167.  
Referred to Corporations Other Than Municipal.  
Re-referred to Committee on Insurance, 184.  
Reported back, 300.  
Second reading, 344, 939.  
Passed, 344, 939.  
Other action, 939, 1011.  
Forwarded to Senate, 352, 998.  
Returned by Senate, 918, 1095.  
Senate action, amended, 918.  
Enrolled, 987.  
Signed by Speaker, 988.  
Forwarded to Governor, 1104.

**House Bill No. 62—(Reps. Ohnstad and Fleck)**

House Bill No. 62. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation

Act by Amending and Re-enacting 52-01, of the Revised Code of 1943, Relating to Definitions and General Provisions, Declaration of Public Policy, Separability of Provisions, Providing for a Saving Clause, Designation of Title, and Providing for Repeal; 52-0201, of the Revised Code of 1943, Relating to North Dakota State Employment Service; 52-0215, of the Revised Code of 1943, Relating to Reciprocal Arrangements with Other States and Federal Government; 52-0301, of the Revised Code of 1943, Relating to Unemployment Compensation Fund; 52-04, of the Revised Code of 1943, Relating to Contributions, Period of Limitations Upon Assessment of Contributions, and Administrative Determinations of Coverage; 52-0601, of the Revised Code of 1943, Relating to Conditions Required to Be Eligible to Benefits; 52-0602, of the Revised Code of 1943, Relating to Disqualification for Benefits; 52-0604, of the Revised Code of 1943, Relating to Amount of Benefits; 52-0605, of the Revised Code of 1943, Relating to Duration of Benefits; 52-0616, of the Revised Code of 1943, Relating to Redeterminations Made by Division; 52-0617, of the Revised Code of 1943, Relating to Appeal from Redetermination; 52-0627, of the Revised Code of 1943, Relating to Judicial Review of Decision; 52-0702, of the Revised Code of 1943, Relating to Definitions.

Introduction, first reading, 167.  
 Referred to Committee on Insurance.  
 Reported back, 561.  
 Amended, 561.  
 General Orders, 609.  
 Engrossed, 702.  
 Second reading, 676, 1069.  
 Passed, 677, 1069.  
 Other action, 1069, 1073.  
 Forwarded to Senate, 706, 1193.  
 Returned by Senate, 1034, 1201.  
 Senate action, amended, 1034.  
 Enrolled, 1192.  
 Signed by Speaker, 1192.  
 Forwarded to Governor, 1204.

**House Bill No. 63—(Reps. Fleck and Jennings)**

House Bill No. 63. A Bill for an Act Amending and Re-enacting Chapter 51 of the Laws of 1943, to Transfer the Sum of \$1200.00 from the Item of Postage, Supplies, Printing, Furniture and Fixtures to the Item of Salary, Fixing the Salary of the Registrar of Motor Vehicles from July 1, 1943, Until June 30, 1945, and Repealing Acts in Conflict, and Declaring an Emergency.

Introduction, first reading, 173.  
 Referred to Committee on Appropriations.  
 Withdrawn, 228.

**House Bill No. 64—(Reps. Dalzell, Hofstrand, Haugland and Schnell)**

House Bill No. 64. A Bill for an Act Amending and Re-enacting Section 19-1403 of the North Dakota Revised Code

of 1943 Relating to the Regulating of the Sale of Livestock Medicines.

Introduction, first reading, 173.  
Referred to Committee on Livestock.  
Reported back, 225.  
Second reading, 241.  
Passed, 241.  
Forwarded to Senate, 254, 420.  
Returned by Senate, 408, 437.  
Senate action, 408, 437.  
Enrolled, 416.  
Signed by Speaker, 419.  
Forwarded to Governor, 445.  
Approved by Governor, 842.

House Bill No. 65—(Reps. Hogoboom, Still, Fitch, Crockett and Bymers)

House Bill No. 65. A Bill for an Act Authorizing Counties to Levy a Tax of Not to Exceed One-half Mill on the Dollar of the Net Assessed Taxable Valuation of the County to Provide a Fund for Payment of the Salary of the County Veterans' Service Officer to Be Appointed Under the Provisions of Chapter 30 of the Special Session of 1944; Such Levy Not to Be Limited by Section 57-1506 of the Revised Code of 1943.

Introduction, first reading, 174.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 224.  
Amended, 224.  
General Orders, 245.  
Engrossed, 250.  
Second reading, 259.  
Passed, 260.  
Forwarded to Senate, 275, 882.  
Returned by Senate, 809, 915.  
Senate action, passed, 810.  
Enrolled, 873.  
Signed by Speaker, 877.  
Forwarded to Governor, 928.  
Approved by Governor, 1009.

House Bill No. 66—(Reps. Haugland, Hovey, Smart, Benno and Mortenson)

House Bill No. 66. A Bill for an Act Creating and Establishing an Agricultural Experiment Station and State Seed Farm at or Near Minot in Ward County Under the Supervision and Control of the North Dakota Agricultural Collège at Fargo; Providing for a Board of Visitors and the Appointment Thereof; Making an Appropriation Therefor and Declaring an Emergency.

Introduction, first reading, 184.  
Referred to Committee on Agriculture.  
Reported back, 212.  
Re-referred to Committee on Appropriations, 286.  
Amended, 286.  
Engrossed, 302.  
Second reading, 331.  
Passed, 332.

Forwarded to Senate, 352, 744.  
 Returned by Senate, 661, 941.  
 Senate action, passed, 661.  
 Enrolled, 743.  
 Signed by Speaker, 744.  
 Forwarded to Governor, 958.

**House Bill No. 67—(Reps. Smart and Saumur)**

House Bill No. 67. A Bill for an Act Providing for Non-liability of Municipalities for Damages Caused by Defective Sidewalks or Cross-walks or by Frost, Loose Snow, Ice or Water on Sidewalks or Cross-walks, with Certain Exceptions; and Repealing all Acts in Conflict Herewith.

Introduction, first reading, 187.  
 Referred to Committee on Cities and Municipal Corporations.  
 Reported back, 339.  
 Indefinitely postponed, 363.

**House Bill No. 68—(Reps. Yirchott and Olson of Barnes)**

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 40-1302 of the North Dakota Revised Code of 1943, Relating to Bonds of Municipal Officials; Requirements; Approval; Additional Bonds; and Repealing all Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 187.  
 Referred to Committee on Cities and Municipal Corporations.  
 Second reading, 363.  
 Passed, 363.  
 Forwarded to Senate, 373, 674.  
 Returned by Senate, 602, 738.  
 Senate action, passed, 602.  
 Enrolled, 666.  
 Signed by Speaker, 667.  
 Forwarded to Governor, 743.  
 Approved by Governor, 842.

**House Bill No. 69—(Reps. Klefstad and Brady)**

House Bill No. 69. A Bill for an Act Authorizing the State or any Political Subdivision Thereof to Procure Liability and Casualty Insurance Protecting the State or any Such Political Sub-division or the Employees Thereof Against Claims for Loss or Damage Arising from the Operation of any Motor Vehicle.

Introduction, first reading, 187.  
 Referred to Committee on Ways and Means.  
 Reported back, 540.  
 Second reading, 627.  
 Passed, 628.  
 Forwarded to Senate, 674, 932.  
 Returned by Senate, 913, 994.  
 Senate action, passed, 914.  
 Enrolled, 926.  
 Signed by Speaker, 930.  
 Forwarded to Governor, 1009.

**House Bill No. 70—(Reps. Hovey, Wambheim and Olson of Barnes)**

House Bill No. 70. A Bill for an Act Relating to the Dura-

tion of Authority for Excess Tax Levies in Counties, Cities, Villages or Townships.

Introduction, first reading, 188.  
 Referred to Committee on Tax and Tax Laws.  
 Reported back, 225.  
 Second reading, 242.  
 Passed, 242.  
 Forwarded to Senate, 254.  
 Returned by Senate, 1024.  
 Senate action, indefinitely postponed, 1024.

**House Bill No. 71—(Rep. Maher)**

House Bill No. 71. A Bill for an Act Providing for the Loan of Money to Counties Unable to Raise Sufficient Funds to Pay Mandatory Salaries and Providing for Additional Levy in Such Counties and Making a Provision for the Purpose of the Act.

Introduction, first reading, 188.  
 Referred to Committee on Counties.  
 Reported back, 620.  
 Amended, 620.  
 General Orders, 668.  
 Engrossed, 702.  
 Second reading, 712, 982.  
 Passed, 712, 982.  
 Other action, 981, 1011.  
 Forwarded to Senate, 730, 1081.  
 Returned by Senate, 940, 1175.  
 Senate action, amended, 941.  
 Enrolled, 1058.  
 Signed by Speaker, 1075.  
 Forwarded to Governor, 1199.

**House Bill No. 72—(Reps. Baumgartner and Welk)**

House Bill No. 72. A Bill for an Act to Amend and Re-enact Sections 15-0617 and 15-0706 of the North Dakota Revised Code of 1943 Providing for Payments on Contracts for the Sale of Original Grant Lands and Payments on Contracts for the Sale of Non-grant Lands; Permitting Prepayments on Such Contracts; Terms and Conditions of Sale of Non-grant Lands.

Introduction, first reading, 188.  
 Referred to Committee on School and Public Lands.  
 Reported back, 271.  
 Second reading, 292.  
 Passed, 293.  
 Forwarded to Senate, 316, 525.  
 Returned by Senate, 484, 531.  
 Senate action, 484.  
 Enrolled, 518.  
 Signed by Speaker, 519.  
 Forwarded to Governor, 544.  
 Approved by Governor, 842.

**House Bill No. 73—(Reps. Schimke, Larson and Mortenson)**

House Bill No. 73. A Bill for an Act Authorizing the Hunting, Taking and Possession of Game Birds by Persons

in the Armed Services of the United States; Providing Possession, Limit, and Declaring an Emergency.

Introduction, first reading, 188.

Referred to Committee on Game and Fish.

Withdrawn, 519.

**House Bill No. 74—(Reps. Larson, Schimke and Crockett)**

House Bill No. 74. A Bill for an Act Providing for Refunds Upon Retail Beer Licenses; Establishing Procedure for Refund; and Declaring an Emergency.

Introduction, first reading, 188.

Referred to Committee on Ways and Means.

Reported back, 656.

Indefinitely postponed, 656.

**House Bill No. 75—(Reps. Johnson of Richland, Fitch, Graham and Crockett)**

House Bill No. 75. A Bill for an Act Relating to the Purchase of an Electric Roll Call System for the House of Representatives, Creating an Interim Committee to Investigate and Advise with Reference Thereto, Prescribing Its Powers and Duties, Directing the Purchase of Such System and Appropriating Money for the Purposes of This Act.

Introduction, first reading, 188.

Referred to Committee on State Affairs.

Reported back, 251, 301, 382.

Amended, 301.

Second reading, 461, 1108.

Passed, 461, 1108.

Other action, 1108, 1109.

Forwarded to Senate, 474, 1194.

Returned by Senate, 1039, 1201.

Senate action, amended, 1039.

Enrolled, 1192.

Signed by Speaker, 1192.

Forwarded to Governor, 1204.

**House Bill No. 76—(Reps. Levin, Halvorson, Maher and Saumur)**

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 4-2214 of the North Dakota Revised Code of 1943 Relating to Inclusion of Additional Territory and Annexation of Territory to Other Existing Soil Conservation Districts.

Introduction, first reading, 191.

Referred to Committee on Agriculture.

Reported back, 251.

Amended, 277.

Second reading, 277.

Passed, 278.

Forwarded to Senate, 289, 420.

Returned by Senate, 408, 437.

Senate action, 408, 437.

Enrolled, 415.

Signed by Speaker, 419.

Forwarded to Governor, 445.

Approved by Governor, 842.

**House Bill No. 77—(Reps. Levin, Halvorson, Maher and Saumur)**

House Bill No. 77. A Bill for an Act Amending and Re-enacting Section 4-2221 of the North Dakota Revised Code of 1943 Relating to Time of Elections in Soil Conservation Districts and Appointment of Election Officers.

Introduction, first reading, 191.  
Referred to Committee on Agriculture.  
Reported back, 251.  
Amended, 278.  
Second reading, 279.  
Passed, 279.  
Forwarded to Senate, 289, 420.  
Returned by Senate, 408, 437.  
Senate action, 408, 437.  
Enrolled, 415.  
Signed by Speaker, 419.  
Forwarded to Governor, 445.  
Approved by Governor, 842.

**House Bill No. 78—(Reps. Fitch and Johnson of Richland)**

House Bill No. 78. A Bill for an Act to Provide for the Creation of a North Dakota School Survey Commission, Defining the Powers and Duties, Making an Appropriation Therefor, and Declaring an Emergency.

Introduction, first reading, 192.  
Referred to Committee on Ways and Means.  
Reported back, 657.  
Second reading, 687.  
Indefinitely postponed, 688.

**House Bill No. 79—(Reps. Forseth, Esterby, Bymers, Sandness and Haugen)**

House Bill No. 79. A Bill for an Act Amending and Re-enacting Title 6, of the North Dakota Revised Code of 1943, Relating to Banks and Banking, by Amending and Re-enacting, Sections 6-0101, of the North Dakota Revised Code of 1943, Relating to Management and Control of State Department of Banking and State Credit Union; Section 6-0103, of the North Dakota Revised Code of 1943, Relating to State Banking Board and State Credit Union Board; Section 6-0104, of the North Dakota Revised Code of 1943, Relating to Powers and Duties of the State Banking Board and State Credit Union Board; Section 6-0107, of the North Dakota Revised Code of 1943, Relating to Records of State Banking Board, State Examiner, and State Credit Union Board; Section 6-0601, of the North Dakota Revised Code of 1943, Relating to Organization of Credit Union; Paragraph 5 of Section 6-0602, of the North Dakota Revised Code of 1943, Relating to Manner of Organization of Credit Union; Section 6-0604, of the North Dakota Revised Code of 1943, Relating to Amendment of Certificate or By-Laws; Approval by State Banking Board and State Credit Union Board; Section 6-0608, of the North Dakota Revised Code of 1943, Relating to State Credit Union Board to Supervise Credit Unions, Reports, Examination, Fee; Making an Appropriation; Repealing All Acts in Conflict Herewith.



Introduction, first reading, 195.  
 Referred to Committee on Banks and Banking.  
 Reported back, 240.  
 Second reading, 261.  
 Passed, 262.  
 Forwarded to Senate, 275, 932.  
 Returned by Senate, 809, 994.  
 Senate action, passed, 810.  
 Enrolled, 926.  
 Signed by Speaker, 930.  
 Forwarded to Governor, 1009.

**House Bill No. 80—(Rep. Stair by request)**

House Bill No. 80. A Bill for an Act Making a Deficit Appropriation to the State Hail Insurance Department to Re-pay Money Borrowed from the Bank of North Dakota and Incurred for Operation Expenses on Increased Risks; and Declaring an Emergency.

Introduction, first reading, 196.  
 Referred to Committee on Appropriations.  
 Reported back, 340.  
 Engrossed, 365.  
 Second reading, 365.  
 Forwarded to Senate, 374, 882.  
 Returned by Senate, 809, 1095.  
 Senate action, passed, 810.  
 Enrolled, 873.  
 Signed by Speaker, 877.  
 Forwarded to Governor, 1104.

**House Bill No. 81—(Reps. Callahan, Wambheim, Drovdal and Halcrow)**

House Bill No. 81. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Teacher's Placement Division.

Introduction, first reading, 196.  
 Referred to Committee on Appropriations.  
 Reported back, 286.  
 Amended, 286, 587.  
 General Orders, 346.  
 Engrossed, 352.  
 Second reading, 369, 587.  
 Passed, 369, 587.  
 Other action, 594.  
 Forwarded to Senate, 402, 674.  
 Returned by Senate, 551, 738.  
 Senate action, 551.  
 Enrolled, 666.  
 Signed by Speaker, 667.  
 Forwarded to Governor, 743.  
 Approved by Governor, 842.

**House Bill No. 82—(Reps. Callahan, Wambheim, Drovdal and Halcrow)**

House Bill No. 82. A Bill for an Act Appropriating Twenty-six Hundred Dollars (\$2600.00) for the Maintenance of the Teacher's Placement Division from February 1, 1945

to July 1, 1945 Under the Act of Congress Known as the Wagner-Peyser Act, Approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49); and Declaring an Emergency.

Introduction, first reading, 196.  
 Referred to Committee on Appropriations.  
 Reported back, 287.  
 Amended, 604.  
 Second reading, 370, 604.  
 Passed, 370, 605.  
 Other action, 633.  
 Forwarded to Senate, 402, 643.  
 Returned by Senate, 551, 661.  
 Senate action, 551.  
 Enrolled, 633.  
 Signed by Speaker, 642.  
 Forwarded to Governor, 676.  
 Approved by Governor, 742.

**House Bill No. 83—(State Affairs Committee)**

**House Bill No. 83. A Bill for an Act Relating to the Creation of a Legislative Research Committee, Prescribing Its Powers and Duties, and Appropriating Money Therefore.**

Introduction, first reading, 196.  
 Referred to Committee on State Affairs.  
 Reported back, 338, 597.  
 Re-referred to Committee on Appropriations, 358.  
 Amended, 597.  
 Engrossed, 666.  
 General Orders, 648.  
 Second reading, 686, 1151.  
 Passed, 687, 1151.  
 Other action, 1150, 1152.  
 Forwarded to Senate, 706, 1194.  
 Returned by Senate, 1123, 1201.  
 Senate action, amended, 1123.  
 Enrolled, 1192.  
 Signed by Speaker, 1192.  
 Forwarded to Governor, 1204.

**House Bill No. 84—(Ways and Means Committee)**

**House Bill No. 84. A Bill for an Act for Allowance of Expenses of Members of the Legislative Assembly, Making an Appropriation, Declaring an Emergency.**

Introduction, first reading, 196.  
 Referred to Committee on Ways and Means.  
 Reported back, 203.  
 Second reading, 217, 651.  
 Passed, 217, 651.  
 Forwarded to Senate, 221, 475, 667.  
 Returned by Senate, 446, 531, 709.  
 Senate action, 446, 709.  
 Enrolled, 472.  
 Signed by Speaker, 475.  
 Forwarded to Governor, 544.  
 Veto, 650.  
 To Secretary of State, 765.

**House Bill No. 85—(Reps. McInnes and Sailer)**

House Bill No. 85. A Bill for an Act Making an Appropriation of Five Thousand Dollars, or So Much Thereof as May Be Necessary, to Defray Expenses Necessary for the Administration of the North Dakota State Defense Council Under the Provisions of Sections 37-1701 to 37-1703, Both Inclusive, of the North Dakota Revised Code of 1943, for the Biennium Ending June 30, 1947.

Introduction, first reading, 196.  
 Referred to Committee on Appropriations.  
 Reported back, 287.  
 Second reading, 333.  
 Passed, 333.  
 Forwarded to Senate, 352, 785.  
 Returned by Senate, 755, 1095.  
 Senate action, 755.  
 Enrolled, 776.  
 Signed by Speaker, 777.  
 Forwarded to Governor, 1104.

**House Bill No. 86—(Reps. Graham, Schnell, Sticka and Haugen)**

House Bill No. 86. A Bill for an Act Making an Appropriation of \$900,000.00 to the State Hail Insurance Department from the General Fund to Reimburse the State Hail Insurance Department for Money Diverted to the State Equalization Fund.

Introduction, first reading, 197.  
 Referred to Committee on Appropriations.  
 Reported back, divided report, 340, 342.  
 Second reading, 367.  
 Passed, 367.  
 Forwarded to Senate, 374.  
 Returned by Senate, 1033.  
 Senate action, indefinitely postponed, 1034.

**House Bill No. 87—(Reps. Moe, Lillehaugen and Haugen)**

House Bill No. 87. A Bill for an Act to Amend and Re-enact Section 57-1522 of the North Dakota Revised Code of 1943 Relating to Levy for Road and Bridge Purposes in Unorganized Townships.

Introduction, first reading, 197.  
 Referred to Committee on Tax and Tax Laws.  
 Reported back, 285.  
 Amended, 285.  
 Engrossed, 302.  
 Second reading, 334, 898.  
 Passed, 334, 898.  
 Other action, 911.  
 Forwarded to Senate, 352, 1000.  
 Returned by Senate, 810, 1096.  
 Senate action, amended, 810.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 88—(Rep. Sellens)**

House Bill No. 88. A Bill for an Act to Quiet the Title of the State of North Dakota in and to All Lands Mortgaged

to Secure Loans of State School Funds and Conveyed to the State by the Mortgagors or Their Successors in Lieu of Foreclosure, as Permitted by Sections 15-0314 and 32-1902 of the North Dakota Revised Code of 1943, as Against All Tax Liens Thereon Existing at the Time of Conveyance to the State of North Dakota; Providing for Cancellation of Taxes by the County Auditor.

Introduction, first reading, 202.

Referred to Committee on School and Public Lands.

Reported back, 271, 375.

Re-referred to Committee on Judiciary, 293.

Second reading, 405.

Passed, 406.

Forwarded to Senate, 417, 998.

Returned by Senate, 969, 1096.

Senate action, passed, 970.

Enrolled, 987.

Signed by Speaker, 988.

Forwarded to Governor, 1104.

**House Bill No. 89—(Reps. Dalzell, Hofstrand, Haugland and Schnell)**

House Bill No. 89. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Economic Poisons and Providing for the Registration and Labeling Thereof and Repealing Chapter 19, Section 1208 of the North Dakota Revised Code of 1943.

Introduction, first reading, 202.

Referred to Committee on Ways and Means.

Reported back, 657.

Indefinitely postponed, 657.

**House Bill No. 90—(Committee on Public Health by request)**

House Bill No. 90. A Bill for an Act Providing That No Person, Partnership, Association or Corporation, Nor Any State, County, or Local Governmental Units, Nor Any Division, Department, Board or Agency Thereof, Shall Establish, Conduct or Maintain in the State of North Dakota, Any Hospital, Sanatorium or Other Related Institution for the Hospitalization and/or the Care of the Sick or Injured Without First Obtaining a License Therefor; Providing a Penalty for Violation.

Introduction, first reading, 202.

Referred to Committee on Public Health.

Reported back, 518.

Indefinitely postponed, 519.

**House Bill No. 91—(Reps. Dalzell, Hofstrand, Haugland and Schnell)**

House Bill No. 91. A Bill for an Act to Amend and Re-enact Subsection 2 of Section 19-1011 of the North Dakota Revised Code of 1943, Relating to the Coloring of Tractor Fuel and Declaring an Emergency.

Introduction, first reading, 215.

Referred to Committee on State Affairs.

Reported back 271, 301.

Re-referred to Committee on State Affairs, 272.

Indefinitely postponed, 301.

**House Bill No. 92—(Reps. Dalzell, Hofstrand, Haugland and Schnell)**

House Bill No. 92. A Bill for an Act to Require the Enrichment of Flour and Bread to Meet Certain Standards of Vitamin and Mineral Content; and to Fix Penalties for Violation of This Act.

- Introduction, first reading, 215.
- Referred to Committee on Agriculture.
- Re-referred, 405.
- Reported back, 375, 416.
- Second reading, 460.
- Passed, 460.
- Forwarded to Senate, 474, 932.
- Returned by Senate, 888, 994.
- Senate action, passed, 888.
- Enrolled, 926.
- Signed by Speaker, 930.
- Forwarded to Governor, 1009.

**House Bill No. 93—(Rep. Stormon)**

House Bill No. 93. A Bill Providing for an Act To Amend and Reenact Section 30-1817 of the Revised Code of North Dakota of 1943; Providing That All Letters Testamentary and of Administration Shall Become Void After Six Years; Providing for the Accounting of the Executor or Administrator and the Delivery of the Property of the Estate to His Successor; Providing for the Public Administrator to Close Estates That Have Been in Probate Longer Than Six Years.

- Introduction, first reading, 215.
- Referred to Committee on Judiciary.
- Reported back, 353.
- Indefinitely postponed, 353.

**House Bill No. 94—(Reps. Olson of Barnes, Sharpe and Bureau)**

House Bill No. 94. A Bill for an Act Amending and Re-enacting Section 40-4501 of the North Dakota Revised Code of 1943 Relating to Police Pensions in Cities.

- Introduction, first reading, 215.
- Referred to Committee on Cities and Municipal Corporations.
- Reported back, 339.
- Amended, 339.
- General Orders, 350.
- Engrossed, 376.
- Second reading, 379.
- Passed, 379.
- Forwarded to Senate, 402.
- Returned by Senate, 550.
- Senate action, indefinitely postponed, 550.

**House Bill No. 95—(Reps. Sailer, Rohrer and Skaar)**

House Bill No. 95. A Bill for an Act Amending and Re-enacting Section 11-1512 of the North Dakota Revised Code of 1943, Fixing the Amount of Mileage Which May Be Charged by a Sheriff or His Deputies in the Performance of Official Duties.

- Introduction, first reading, 215.
- Referred to Committee on Counties.

Reported back, 353.  
Amended, 353.  
Indefinitely postponed, 353, 401.

**House Bill No. 96—(Reps. Westby, Jennings and Haag)**

House Bill No. 96. A Bill for an Act to Amend and Re-enact Section 33-0209 of the North Dakota Revised Code of 1943 Relating to Service of Summons in an Action in Justice Court.

Introduction, first reading, 215.  
Referred to Committee on Judiciary.  
Reported back, 599.  
Amended, 599.  
General Orders, 649.  
Engrossed, 655.  
Second reading, 692.  
Passed, 692.  
Forwarded to Senate, 706.  
Returned by Senate, 757.  
Senate action, indefinitely postponed, 757.

**House Bill No. 97—(Reps. Westby, Jennings and Haag)**

House Bill No. 97. A Bill for an Act Amending and Re-enacting Sections 28-0619 and 28-0628 of the North Dakota Revised Code of 1943 Relating to the Service of Summons and Proof of Service Thereof; and Repealing Section 28-0629 and All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 216.  
Referred to Committee on Judiciary.  
Reported back, 599.  
Amended, 599.  
General Orders, 649.  
Engrossed, 655.  
Second reading, 691.  
Passed, 691.  
Forwarded to Senate, 706.  
Returned by Senate, 757.  
Senate action, indefinitely postponed, 757.

**House Bill No. 98—(Reps. Symington and Hofstrand)**

House Bill No. 98. A Bill for an Act Assessing and Levying from July 1, 1945, to July 1, 1947, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them; Appropriating the Proceeds of Such Special Tax for Use in Construction, Reconstruction and Maintenance of Rural Highways; Making All the Provisions of Chapter 57-41 of the North Dakota Revised Code of 1943, and Amendments Thereto, and Known as the "Motor Fuel Tax Law", Other Than the Distribution of the Proceeds and Other Than the Cost of Administration and Collection and Other Than Penalties for Violation Applicable to Said Special License Tax; and Other Than Sale of Tax Exempt Gasoline Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of This Act.

Introduction, first reading, 216.

Referred to Committee on Tax and Tax Laws.  
 Reported back, 468.  
 Indefinitely postponed, 468.

**House Bill No. 99**—(Reps. Sticka, Maher and Schwartz)

House Bill No. 99. A Bill for an Act to Amend Section 1-0143 of the Revised Code of 1943 by Providing Mountain Time for That Part of the State South and West of the Missouri River.

Introduction, first reading, 216.  
 Referred to Committee on State Affairs.  
 Reported back, 251.  
 Amended, 251.  
 Engrossed, 302.  
 Second reading, 336.  
 Killed, 336.

**House Bill No. 100**—(Reps. Fitch and Wolf of McIntosh)

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 51-0401 of the North Dakota Revised Code of 1943, Defining "Transient Merchant" and "Merchandise."

Introduction, first reading, 216.  
 Referred to Committee on Ways and Means.  
 Reported back, 539.  
 Second reading, 611.  
 Passed, 611.  
 Forwarded to Senate, 631, 882.  
 Returned by Senate, 809, 915.  
 Senate action, passed, 810.  
 Enrolled, 873.  
 Signed by Speaker, 877.  
 Forwarded to Governor, 928.  
 Approved by Governor, 1009.

**House Bill No. 101**—(Rep. Sellens)

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 61-0214 of the North Dakota Revised Code of 1943 Relating to the Powers of the State Water Conservation Commission.

Introduction, first reading, 216.  
 Referred to Committee on Drainage and Irrigation.  
 Reported back, 353.  
 Amended, 353, 383.  
 Engrossed, 376.  
 Second reading, 382.  
 Passed, 383.  
 Forwarded to Senate, 402, 631.  
 Returned by Senate, 551, 661.  
 Senate action, 551.  
 Enrolled, 602.  
 Signed by Speaker, 607.  
 Forwarded to Governor, 676.  
 Approved by Governor, 742.

**House Bill No. 102**—(Rep. Johnson of Cass)

House Bill No. 102. A Bill for an Act to Amend and Re-enact Section 30-1507 of the Revised Code of 1943, Providing

**for the Appointment of Appraisers, Prescribing the Oath and Fixing Their Compensation.**

Introduction, first reading, 223.  
 Referred to Committee on Judiciary.  
 Reported back, 354.  
 Engrossed, 376.  
 Second reading, 384.  
 Passed, 384.  
 Forwarded to Senate, 402, 525.  
 Returned by Senate, 484, 531.  
 Senate action, 484.  
 Enrolled, 518.  
 Signed by Speaker, 519.  
 Forwarded to Governor, 544.  
 Approved by Governor, 842.

**House Bill No. 103—(Rep. Moe)**

House Bill No. 103. A Bill for an Act Authorizing the Publication of Delinquent Personal Property Tax Lists.

Introduction, first reading, 228.  
 Referred to Committee on Tax and Tax Laws.  
 Reported back, 285.  
 Second reading, 342.  
 Killed, 343.

**House Bill No. 104—(Reps. Crockett, Fitch, Severson and Graham)**

House Bill No. 104. A Bill for an Act Providing for Preference for Returned Veterans in Employment on All Public Works and Providing Means for Enforcing the Right, and Declaring an Emergency.

Introduction, first reading, 228.  
 Referred to Committee on Veterans and Military Affairs.  
 Re-referred, 339, 385.  
 Reported back, 339, 354, 540.  
 Amended, 339, 354, 540.  
 General Orders, 607.  
 Engrossed, 376, 625.  
 Second reading, 641.  
 Passed, 641.  
 Forwarded to Senate, 674, 998.  
 Returned by Senate, 970, 1096.  
 Senate action, passed, 970.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 105—(Rep. Stormon)**

House Bill No. 105. A Bill for an Act Providing for the Control of Camp Gilbert C. Grafton, Ramsey County, North Dakota, and Creating a Maintenance and Improvement Fund.

Introduction, first reading, 228.  
 Referred to Committee on Veterans and Military Affairs.  
 Reported back, 338.  
 Second reading, 360.



Passed, 360.  
Forwarded to Senate, 373, 1114.  
Returned by Senate, 970, 1175.  
Senate action, passed, 970.  
Enrolled, 1085.  
Signed by Speaker, 1111.  
Forwarded to Governor, 1199.

**House Bill No. 106—(Reps. Fitch and Crockett)**

House Bill No. 106. A Bill for an Act to Provide for the Receiving as Prima Facie Evidence in Any Court, Office or Other Place in This State, Official Findings, Records, Reports or Certified Copies Thereof, of Death, Presumed Death, Missing or Other Status, Issued by the Secretaries of War and Navy and Other Federal Officers and Employees, and Declaring an Emergency.

Introduction, first reading, 228.  
Referred to Committee on Judiciary.  
Reported back, 437.  
Amended, 437.  
Engrossed, 466.  
Second reading, 480.  
Passed, 480.  
Forwarded to Senate, 524, 932.  
Returned by Senate, 913, 994.  
Senate action, passed, 914.  
Enrolled, 926.  
Signed by Speaker, 930.  
Forwarded to Governor, 1006.

**House Bill No. 107—(Veterans and Military Affairs Committee)**

House Bill No. 107. A Bill for an Act Creating a Department of Veterans Affairs and Defining the Scope Thereof; Establishing the Office of Commissioner of Veterans' Affairs; Providing the Qualifications, the Manner of Appointment, Duties and Salary of Such Officer, and Prescribing His Duties.

Introduction, first reading, 228.  
Referred to Committee on Veterans and Military Affairs.  
Reported back, 339.  
Amended, 340.  
Engrossed, 352. ;  
Second reading, 364.  
Passed, 364.  
Forwarded to Senate, 373, 785.  
Returned by Senate, 755, 820.  
Senate action, 755.  
Enrolled, 776.  
Signed by Speaker, 777.  
Forwarded to Governor, 837.  
Approved by Governor, 938.

**House Bill No. 108—(Reps. Crockett, Larson and Schimke)**

House Bill No. 108. A Bill for an Act Defining the Term "Fire Insurance"; and Declaring an Emergency.

Introduction, first reading, 228.

Referred to Committee on Insurance.  
Reported back, 354.  
Indefinitely postponed, 354.

**House Bill No. 109—(Reps. Schnell and Anderson by request)**

House Bill No. 109. A Bill for an Act Authorizing County Commissioners of the Several Counties of the State to Cooperate with the Commissioner of Agriculture and Labor of the State of North Dakota and with the United States Department of the Interior, Fish and Wildlife Service in Programs of Predatory Animal Control; Authorizing a Levy of a Per Head Tax Upon Sheep, and a County General Levy of Not to Exceed One-half Mill for Such Purposes.

Introduction, first reading, 229.  
Referred to Committee on Counties.  
Reported back, 298.  
Amended, 298.  
Engrossed, 302, 353.  
General Orders, 346.  
Second reading, 371.  
Passed, 371.  
Forwarded to Senate, 402, 1183.  
Returned by Senate, 970.  
Senate action, passed, 970.  
Enrolled, 1157.  
Signed by Speaker, 1183.  
Forwarded to Governor, 1199.

**House Bill No. 110—(Reps. Johnson of Richland and Ohnstad)**

House Bill No. 110. A Bill for an Act to Amend and Re-enact Section 57-3706 of North Dakota Revised Code of 1943 and Determining the Interest of Each Joint Tenant at Time of Death of One of the Joint Tenants; Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 237.  
Referred to Committee on Judiciary.  
Reported back, 354.  
Second reading, 385.  
Passed, 385.  
Forwarded to Senate, 402.  
Returned by Senate, 887.  
Senate action, indefinitely postponed, 888.

**House Bill No. 111—(Rep. Sellens)**

House Bill No. 111. A Bill for an Act to Amend and Re-enact Section 16-1016 of the North Dakota Revised Code of 1943, Increasing Compensation of Inspector, Judges and Clerks of Election.

Introduction, first reading, 237.  
Referred to Committee on Election and Election Privileges.  
Reported back, 285.  
Second reading, 343.  
Passed, 343.  
Forwarded to Senate, 352.  
Returned by Senate, 887.  
Senate action, indefinitely postponed, 888.

**House Bill No. 112—(Committee on Mines and Mining)**

House Bill No. 112. A Bill for an Act Amending and Re-enacting Section 11-2704 of the North Dakota Revised Code of 1943 Relating to Reservation of Mineral Rights; Declaring an Emergency.

Introduction, first reading, 237.

Referred to Committee on Mines and Mining.

Reported back, 300, 484.

Re-referred to Committee on Mines and Mining, 300.

Indefinitely postponed, 485.

**House Bill No. 113—(Reps. Haugen and Bubel)**

House Bill No. 113. A Bill for an Act Permitting Suit Against State Instrumentalities for Breach of Promises Made by Their Agents and Employees and Declaring an Emergency.

Introduction, first reading, 238.

Referred to Committee on Ways and Means.

Reported back, 439.

Indefinitely postponed, 439.

**House Bill No. 114—(Reps. Saumur, Blair and Schnell)**

House Bill No. 114. A Bill for an Act Limiting the Time Within Which Actions May Be Brought to Recover Overtime or Premium Pay or Penalties on Wages Required or Authorized By Any Statute, to a Period of Two Years After the Accrual of the Right to Such Pay, and Declaring An Emergency.

Introduction, first reading, 238.

Referred to Committee on Judiciary.

Reported back, 599.

Amended, 599.

General Orders, 649.

Engrossed, 655.

Second reading, 688.

Passed, 688.

Other action, 975, 1031, 1060, 1096, 1098.

Conference Committee, 975, 990, 1060.

Forwarded to Senate, 706, 1189.

Returned by Senate, 964.

Senate action, amended, 964.

Enrolled, 1178.

Signed by Speaker, 1186.

Forwarded to Governor, 1199.

**House Bill No. 115—(Reps. Haugen, Bagge, Yirchott and Maher)**

House Bill No. 115. A Bill for an Act Authorizing County Commissioners to Charge and Collect Mileage and Expenses in Certain Cases.

Introduction, first reading, 240.

Referred to Committee on Counties.

Reported back, 289.

Amended, 289.

General Orders, 346.

Engrossed, 352.

Second reading, 376.

Passed, 376.  
 Forwarded to Senate, 402, 933.  
 Returned by Senate, 888, 994.  
 Senate action, passed, 888.  
 Enrolled, 926.  
 Signed by Speaker, 930.  
 Forwarded to Governor, 1009.

**House Bill No. 116—(Committee on Judiciary)**

House Bill No. 116. A Bill for an Act Relating to Property of Deceased Persons and Providing for the Payment or Delivery Thereof to Certain Representatives of Certain Foreign Countries.

Introduction, first reading, 241.  
 Referred to Committee on Judiciary.  
 Reported back, 354.  
 Second reading, 387.  
 Passed, 387.  
 Other action, 595.  
 Forwarded to Senate, 403, 596, 785.  
 Returned by Senate, 526, 756, 820.  
 Senate action, indefinitely postponed, 526; passed, 756.  
 Enrolled, 776.  
 Signed by Speaker, 777.  
 Forwarded to Governor, 837.  
 Approved by Governor, 938.

**House Bill No. 117—(Committee on Judiciary)**

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 30-0213 of the North Dakota Revised Code of 1943, Relating to Service Upon Foreign Heirs.

Introduction, first reading, 241.  
 Referred to Committee on Judiciary.  
 Reported back, 355.  
 Second reading, 388, 900.  
 Passed, 388, 900.  
 Other action, 595, 911.  
 Forwarded to Senate, 403, 596, 1000.  
 Returned by Senate, 526, 757, 1096.  
 Senate action, 526; amended, 757.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 118—(Committee on Judiciary)**

House Bill No. 118. A Bill for an Act to Amend and Re-enact Section 30-0802 of the North Dakota Revised Code of 1943, Relating to Persons Entitled to Letters of Administration.

Introduction, first reading, 241.  
 Referred to Committee on Judiciary.  
 Reported back, 355.  
 Second reading, 389, 901.  
 Passed, 389, 901.  
 Other action, 595, 911.  
 Forwarded to Senate, 403, 596, 1000.  
 Returned by Senate, 526, 757, 1096.

Senate action, 526; amended, 757.  
Enrolled, 987.  
Signed by Speaker, 988.  
Forwarded to Governor, 1104.

**House Bill No. 119—(Committee on Veterans and Military Affairs)**

House Bill No. 119. A Bill for an Act to Provide for the Compilation, Publication and Distribution of the Record of Citizens of North Dakota Who Rendered Military Service on Behalf of the State, Served in the Merchant Marine, and Assisted in the Administration of the Selective Service Act During World War II.

Introduction, first reading, 241.  
Referred to Committee on Veterans and Military Affairs.  
Reported back, 338.  
Amended, 338.  
Engrossed, 352.  
Second reading, 361.  
Passed, 361.  
Forwarded to Senate, 373, 1081.  
Returned by Senate, 970, 1175.  
Senate action, passed, 970.  
Enrolled, 1059.  
Signed by Speaker, 1075.  
Forwarded to Governor, 1199.

**House Bill No. 120—(Reps. Fleck and Jennings)**

House Bill No. 120. A Bill for an Act Making an Appropriation for the Increase of Salary of the Motor Vehicle Registrar, and Declaring an Emergency.

Introduction, first reading, 241.  
Referred to Committee on Appropriations.  
Reported back, 338.  
Second reading, 359.  
Passed, 359.  
Forwarded to Senate, 373, 785.  
Returned by Senate, 756, 1093.  
Senate action, passed, 756.  
Enrolled, 776.  
Signed by Speaker, 777.  
Forwarded to Governor, 1104.

**House Bill No. 121—(Committee on Education)**

House Bill No. 121. A Bill for an Act to Amend and Re-enact Section 15-4011 of the North Dakota Revised Code of 1943, Relating to the Determination of Sums Due School Districts from the State Equalization Fund on Per Pupil Basis, to Amend and Re-enact Section 15-4012, Relating to the Distribution of Payments on a Per Pupil Basis.

Introduction, first reading, 252.  
Referred to Committee on Education.  
Reported back, 416.  
Amended, 463.  
Engrossed, 466.  
Second reading, 463, 1133.  
Passed, 464, 1133.

Other action, 1131, 1134.,  
 Forwarded to Senate, 474, 1189.  
 Returned by Senate, 1039.  
 Senate action, amended, 1039.  
 Enrolled, 1178.  
 Signed by Speaker, 1186.  
 Forwarded to Governor, 1200.

**House Bill No. 122—(Committee on Education)**

House Bill No. 122. A Bill for an Act to Amend and Re-enact Section 15-4018 of the Revised Code of 1943, Relating to the Payments from the State Equalization Fund on Teacher-Unit Basis, and Providing for Additional Distribution on Teacher-Unit Basis of Any Unused Balances in the State Equalization Fund.

Introduction, first reading, 252.  
 Referred to Committee on Education.  
 Reported back, 619.  
 Amended, 619.  
 Engrossed, 655.  
 Second reading, 679, 1146.  
 Passed, 679, 1146.  
 Other action, 1146, 1147.  
 Forwarded to Senate, 686, 1194.  
 Returned by Senate, 1039, 1201.  
 Senate action, amended, 1039.  
 Enrolled, 1192.  
 Signed by Speaker, 1192.  
 Forwarded to Governor, 1204.

**House Bill No. 123—(Committee on Education)**

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 15-4014 of the North Dakota Revised Code of 1943, Relating to the Amount of High School Tuition, the Amount of Payments, and the Tuition of Students Attending School in a Foreign School.

Introduction, first reading, 252.  
 Referred to Committee on Education.  
 Reported back, 416.  
 Amended, 462.  
 Engrossed, 466.  
 Second reading, 462.  
 Passed, 462.  
 Forwarded to Senate, 474, 1114.  
 Returned by Senate, 1048, 1175.  
 Senate action, passed, 1048.  
 Enrolled, 1085.  
 Signed by Speaker, 1111.  
 Forwarded to Governor, 1200.

**House Bill No. 124—(Reps. Drovdal and Acheson)**

House Bill No. 124. A Bill for an Act Extending the Time in Which County Officers Shall Adopt and Conform to Uniform System of Accounting Prescribed by State Examiner by Section 6-0122 of the Revised Code of 1943, from July 1st, 1945, to July 1st, 1947.

Introduction, first reading, 252.  
 Referred to Committee on Counties.

Reported back, 355.  
 Amended, 355.  
 Engrossed, 376.  
 Second reading, 458.  
 Killed, 458.

**House Bill No. 125—(Rep. Graham)**

House Bill No. 125. A Bill for an Act Relating to Attorney, Brokerage or Other Fees or Commissions in Funding or Refunding Indebtedness of Counties, Cities, Villages, Townships, and School Districts and Park Districts, and Providing a Penalty for the Violation of This Act.

Introduction, first reading, 253.  
 Referred to Committee on Public Debt.  
 Reported back, 529.  
 Amended, 529.  
 Engrossed, 544.  
 Second reading, 569.  
 Passed, 569.  
 Forwarded to Senate, 591.  
 Returned by Senate, 757.  
 Senate action, indefinitely postponed, 757.

**House Bill No. 126—(Committee on Appropriations)**

House Bill No. 126. A Bill for an Act Authorizing and Requiring the Board of Administration to Fix and Collect Rental for All Office Space in the Capitol, Used and Occupied by Federal Agencies, and to Require Removal from the Capitol of All of Such Agencies as Fail or Refuse to Pay Rental for the Space Occupied; and Declaring an Emergency.

Introduction, first reading, 253.  
 Referred to Committee on Ways and Means.  
 Reported back, 422.  
 Second reading, 485.  
 Passed, 485.  
 Forwarded to Senate, 524.  
 Returned by Senate, 887.  
 Senate action, indefinitely postponed, 888.

**House Bill No. 127—(Committee on Appropriations)**

House Bill No. 127. A Bill for an Act to Create a "Public Utility Valuation Fund" in the State Treasury, and to Provide for the Payment of All Monies Into the General Fund of the State, and Declaring an Emergency.

Introduction, first reading, 253.  
 Referred to Committee on Appropriations.  
 Reported back, 381.  
 Amended, 381.  
 Engrossed, 405.  
 Second reading, 409.  
 Passed, 409.  
 Forwarded to Senate, 418, 882.  
 Returned by Senate, 809, 915.  
 Senate action, passed, 810.  
 Enrolled, 873.  
 Signed by Speaker, 877.  
 Forwarded to Governor, 928.

**House Bill No. 128—(Rep. Johnson of Cass)**

House Bill No. 128. A Bill for an Act Continuing in Force and Effect All Standing and Continuing Appropriations Omitted from the North Dakota Revised Code of 1943; Declaring an Emergency.

Introduction, first reading, 253.  
 Referred to Committee on Appropriations.  
 Reported back, 357.  
 Amended, 396.  
 Engrossed, 415.  
 Second reading, 396.  
 Passed, 396.  
 Forwarded to Senate, 417, 785.  
 Returned by Senate, 756, 820.  
 Senate action, passed, 756.  
 Enrolled, 776.  
 Forwarded to Governor, 837.  
 Approved by Governor, 938.

**House Bill No. 129—(Committee on Ways and Means)**

House Bill No. 129. A Bill for an Act to Create a Department of Public Safety in the State of North Dakota, to Provide and Maintain a State Patrol, and the Appointment of a Superintendent, Patrolmen and Employees Thereof, and to Provide for Schools of Instruction of Said State Patrol Members and Provide for Their Duties and Powers; to Provide Penalties for Violations and to Repeal Acts in Conflict Therewith.

Introduction, first reading, 253.  
 Referred to Committee on Ways and Means.  
 Reported back, divided report, 439.  
 Indefinitely postponed, 441.

**House Bill No. 130—(Reps. Forseth, Esterby and Haugland)**

House Bill No. 130. A Bill for an Act Providing for the Payment of Maintenance by the Board of University and School Lands, to the Respective Taxing Sub-divisions, on All Real Estate Held by It, Other Than Original Land Grants, and Other Than Institutional Property, Out of Funds, Exclusive of Interest and Income from Grant Lands, and Specifying Time and Manner of Payment.

Introduction, first reading, 264.  
 Referred to Committee on School and Public Lands.  
 Reported back, 375.  
 Indefinitely postponed, 375.

**House Bill No. 131—(Reps. Forseth, Esterby and Fraser)**

House Bill No. 131. A Bill for an Act Providing the Rate of Income Tax on Individuals; and Amending and Re-enacting Section 57-3829 of the North Dakota Revised Code of 1943.

Introduction, first reading, 264.  
 Referred to Committee on Tax and Tax Laws.  
 Reported back, 436.  
 Amended, 436.  
 General Orders, 520.  
 Indefinitely postponed, 520.



**House Bill No. 132—(Reps. Forseth, Esterby and Fraser)**

House Bill No. 132. A Bill for an Act Providing Income Tax Exemptions for Individuals; and Amending and Re-enacting Section 57-3826 of the North Dakota Revised Code for 1943.

- Introduction, first reading, 264.
- Referred to Committee on Tax and Tax Laws.
- Reported back, 436.
- Amended, 436.
- Re-referred, 519.
- General Orders, 519.
- Withdrawn, 532.

**House Bill No. 133—(Reps. Forseth and Esterby)**

House Bill No. 133. A Bill for an Act Levying a Tax Upon Net Profits Derived from the Sale or Other Disposition of Agricultural Lands During the Years of 1945 to 1952, Inclusive, for the Purpose of Providing Revenues to Defray the General Expenses of the State Government, Making All Provisions of Section 57-3801 to 57-3857, Both Inclusive, of the North Dakota Revised Code of 1943, Not Inconsistent Herewith, Pertaining to Defining of Terms and Administrative Procedure for the Assessment and Collection of State Income Taxes, Applicable to Such Tax, Providing Penalties for the Violation of the Provisions of This Act, and Declaring an Emergency.

- Introduction, first reading, 264.
- Referred to Committee on Tax and Tax Laws.
- Reported back, divided, 600.
- Indefinitely postponed, 602.

**House Bill No. 134—(Reps. Forseth, Esterby, Fraser and Acheson)**

House Bill No. 134. A Bill for an Act Specifying the Term, Interest and Payment of Farm Loans Made by the Commissioner of University and School Lands; and Amending and Re-enacting Section 15-0309 of the North Dakota Revised Code of 1943.

- Introduction, first reading, 264.
- Referred to Committee on School and Public Lands, 265.
- Re-referred, 405.
- Reported back, 375, 535.
- Amended, 535.
- Engrossed, 602.
- Second reading, 574.
- Passed, 574.
- Forwarded to Senate, 591, 1114.
- Returned by Senate, 1026, 1176.
- Senate action, passed, 1027.
- Enrolled, 1085.
- Signed by Speaker, 1111.
- Forwarded to Governor, 1200.

**House Bill No. 135—(Reps. Ohnstad and Johnson of Richland)**

House Bill No. 135. A Bill for an Act to Provide for the Determination of the Estate Tax Liability in Cases Where Property, Real or Personal, Is Held in Joint Tenancy and

One of the Joint Tenants Dies Without Probate of His Estate in This State; Providing the Procedure for the Determination of Such Tax by the State Tax Commissioner, the Judicial Review Thereof, and for Recording a Certificate of the Tax Commissioner Upon Payment of Such Tax or Where There Is No Tax.

Introduction, first reading, 265.  
 Referred to Committee on Judiciary.  
 Second reading, 386.  
 Passed, 386.  
 Forwarded to Senate, 403.  
 Returned by Senate, 887.  
 Senate action, indefinitely postponed, 888.

**House Bill No. 136—(Rep. Graham)**

House Bill No. 136. A Bill for an Act to Repeal Sub-section 11 of Section 11-1601 of the North Dakota Revised Code of 1943, Relating to the Duties of State's Attorney.

Introduction, first reading, 265.  
 Referred to Committee on Judiciary.  
 Reported back, 437.  
 Second reading, 479.  
 Passed, 479.  
 Forwarded to Senate, 524, 882.  
 Returned by Senate, 809, 915.  
 Senate action, passed, 810.  
 Enrolled, 873.  
 Signed by Speaker, 877.  
 Forwarded to Governor, 928.  
 Approved by Governor, 1009.

**House Bill No. 137—(Committee on Appropriations)**

House Bill No. 137. A Bill for an Act to Amend and Re-enact Section 38-0314 and Section 38-0404 of the North Dakota Revised Code of 1943 and Repealing Section 38-0405 of the North Dakota Revised Code of 1943 Relating to Coal Mine Inspector and Coal Mine Safety Fund.

Introduction, first reading, 265.  
 Referred to Committee on Appropriations.  
 Reported back, 357.  
 Amended, 357, 395.  
 Engrossed, 376, 415.  
 Second reading, 395.  
 Passed, 395.  
 Forwarded to Senate, 417, 786.  
 Returned by Senate, 756, 820.  
 Senate action, passed, 756.  
 Enrolled, 776.  
 Signed by Speaker, 777.  
 Forwarded to Governor, 837.  
 Approved by Governor, 938.

**House Bill No. 138—(Committee on Appropriations)**

House Bill No. 138. A Bill for an Act to Amend and Re-enact Section 19-1604 and Repealing Section 19-1609 of the North Dakota Revised Code of 1943 Relating to Anti-Freeze.

Introduction, first reading, 265.  
 Referred to Committee on Appropriations.

Reported back, 356.  
 Amended, 356.  
 Engrossed, 376.  
 Second reading, 394.  
 Passed, 394.  
 Forwarded to Senate, 417, 786.  
 Returned by Senate, 756, 820.  
 Senate action, passed, 756.  
 Enrolled, 776.  
 Signed by Speaker, 777.  
 Forwarded to Governor, 837.  
 Approved by Governor, 938.

**House Bill No. 139—(Committee on Appropriations)**

House Bill No. 139. A Bill for an Act to Amend and Re-enact Section 4-1205 of the North Dakota Revised Code of 1943, Relating to Beekeeper's License Fees and Transferring Balance to General Fund.

Introduction, first reading, 265.  
 Referred to Committee on Appropriations.  
 Reported back, 356.  
 Amended, 356.  
 Engrossed, 376.  
 Second reading, 393, 902.  
 Passed, 393; 902.  
 Other action, 911.  
 Forwarded to Senate, 417, 1000.  
 Returned by Senate, 757, 1093.  
 Senate action, amended 575.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 140—(Committee on Appropriations)**

House Bill No. 140. A Bill for an Act to Amend and Re-enact Section 20-1507 of the North Dakota Revised Code of 1943 Relating to Disposition of Amounts Received From Sale of Rattlesnake Tails and Rattles.

Introduction, first reading, 265.  
 Referred to Committee on Appropriations.  
 Withdrawn, 370.

**House Bill No. 141—(Committee on Appropriations)**

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 36-0712 of the North Dakota Revised Code of 1943 Relating to Fees for Licensing Rendering Plants.

Introduction, first reading, 265.  
 Referred to Committee on Appropriations.  
 Reported back, 356.  
 Amended, 356.  
 Engrossed, 376.  
 Second reading, 392.  
 Passed, 392.  
 Forwarded to Senate, 417, 786.  
 Returned by Senate, 754, 820.  
 Senate action, 754.  
 Enrolled, 776.

Signed by Speaker, 777.  
 Forwarded to Governor, 837.  
 Approved by Governor, 938.

**House Bill No. 142—(Committee on Appropriations)**

House Bill No. 142. A Bill for an Act to Amend and Re-enact Sections 15-3608 and 15-3609 of the North Dakota Revised Code of 1943 Relating to Fees for Teachers' Certificates.

Introduction, first reading, 266.  
 Referred to Committee on Appropriations.  
 Reported back, 355.  
 Amended, 355.  
 Engrossed, 376.  
 Second reading, 391, 897.  
 Passed, 392, 897.  
 Other action, 896, 911.  
 Forwarded to Senate, 417, 1000.  
 Returned by Senate, 810, 1093.  
 Senate action, amended, 810.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 143—(Reps. Bjella, Haag, Heckman, Johnson of Cass, Lillehaugen, Severson, Smart and Wambheim)**

House Bill No. 143. A Bill for an Act to Create a State Survey Board for Survey and Supervision of Mental Deficiency and Designating the Three Appointive Members of the Board of Administration as Such Board; Providing for Its Organization and Headquarters; Prescribing Its Powers and Duties; Providing for a County Survey Board for Mental Deficiency and Designating the Commissioners of Insanity as Such Board, and Prescribing Its Powers and Duties; Defining Mental Deficiency; Providing for the Furnishing of Certain Information by Institutions; Boards of Education, Teachers, School Principals and Superintendents, Doctors, Nurses, Hospitals, County Health Officers, County Welfare Boards and State Boards and Commissions; Providing for a List of Mentally Deficient Persons to Be Furnished all County Judges; Prohibiting the Issuance of Marriage Licenses to Mentally Deficient Persons and Providing a Penalty for the Violation Thereof; Providing for Certain Exceptions; Providing for the Right of Appeal to the District Courts in Case of Refusal to Issue Marriage License and Prescribing the Time for Such Appeal; Repealing all Statutes in Direct Conflict with the Provisions Hereof; and Making an Appropriation Therefor.

Introduction, first reading, 266.  
 Referred to Committee on State Affairs.  
 Withdrawn, 268.

**House Bill No. 144—(Committee on Rules)**

House Bill No. 144. A Bill for an Act to Amend and Re-enact Section 46-0305 of the North Dakota Revised Code of 1943 Providing for the Printing of Bills and Resolutions.

Introduction, first reading, 266.  
 Referred to Committee on Rules.

Reported back, 444.  
 Second reading, 493.  
 Passed, 493.  
 Forwarded to Senate, 522, 998.  
 Returned by Senate, 913, 1093.  
 Senate action, passed, 914.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 145—(Reps. Fitch and Ohnstad)**

House Bill No. 145. A Bill for an Act with Reference to Trust Receipts and Pledges of Personal Property Unaccompanied by Possession in the Pledges and to Make Uniform the Law with Reference Thereto.

Introduction, first reading, 266.  
 Referred to Committee on Ways and Means.  
 Reported back, 540.  
 Second reading, 614.  
 Passed, 614.  
 Forwarded to Senate, 632, 1081.  
 Returned by Senate, 913, 1176.  
 Senate action, passed, 914.  
 Enrolled, 1059.  
 Signed by Speaker, 1075.  
 Forwarded to Governor, 1200.

**House Bill No. 146—(Rep. Fleck)**

House Bill No. 146. A Bill for an Act to Make Financial Assistance Possible Through the Assignment of Accounts Receivable and Amounts Due on Open Accounts or Contracts, Whether or Not the Debtors Thereon Are Notified of Such Assignments, Providing for the Rights of Such Debtors and Providing That Non-notification Shall Not Affect or Impair Such Assignments.

Introduction, first reading, 272.  
 Referred to Committee on Judiciary.  
 Reported back, 436.  
 Indefinitely postponed, 436.

**House Bill No. 147—(Committee on Temperance)**

House Bill No. 147. A Bill for an Act Prohibiting Sale or Delivery of Beer, Alcohol and Alcoholic Beverages to Certain Persons Who Are Twenty-one Years of Age and Not More Than Twenty-five Years of Age, Providing for Identification Card; and Fixing Penalties.

Introduction, first reading, 272.  
 Referred to Committee on Temperance.  
 Reported back, 471, 622.  
 Amended, 471, 622.  
 General Orders, 520, 670.  
 Re-referred to Committee on Temperance, 589.  
 Second reading, 558, 697, 1110, 1120.  
 Passed, 558, 697, 1120.  
 Lost, 1111.  
 Other action, 1109, 1111, 1121.  
 Forwarded to Senate, 706, 1189.

Returned by Senate, 1047.  
Senate action, amended, 1048.  
Enrolled, 1178.  
Signed by Speaker, 1186.  
Forwarded to Governor, 1200.

**House Bill No. 148—(Reps. Forseth and Esterby)**

House Bill No. 148. A Bill for an Act Limiting the Amount of Bonds Issued and Outstanding, and Providing for the Payment of Administration Charge to the Bank of North Dakota; Amending and Re-enacting Section 54-3028 of the North Dakota Revised Code of 1943.

Introduction, first reading, 272.  
Referred to Committee on Public Debt.  
Reported back, 530.  
Second reading, 686.  
Indefinitely postponed, 686.

**House Bill No. 149—(Reps. Forseth and Esterby)**

House Bill No. 149. A Bill for an Act Providing for the Payment of Maintenance by the Industrial Commission, to the Respective Taxing Sub-divisions, Exclusive of Institutional Property, and Specifying the Time and Manner of Payment.

Introduction, first reading, 272.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 537.  
Indefinitely postponed, 537.

**House Bill No. 150—(Reps. Forseth and Esterby)**

House Bill No. 150. A Bill for an Act Permitting the Bank of North Dakota to Transfer Funds to Other State Departments, to Make Loans and Extend Credit Under Limitations, and Providing Method of Obtaining Additional Funds; Amending and Re-enacting Section 6-0915 of the North Dakota Revised Code of 1943.

Introduction, first reading, 272.  
Referred to Committee on Public Debt.  
Reported back, 528, 596.  
Re-referred, 528.  
Amended, 685.  
Engrossed, 655, 702.  
General Orders, 647.  
Second reading, 684  
Passed, 685.  
Forwarded to Senate, 706, 1026.  
Returned by Senate, 993, 1033.  
Senate action, passed, 994.  
Senate request return, 1024.  
Indefinitely postponed, 1034.

**House Bill No. 151—(Reps. Bjella, Haag, Heckman, Johnson of Cass, Lillehaugen, Severson, Smart and Wambheim)**

House Bill No. 151. A Bill for an Act to Create a State Survey Board for Survey and Supervision of Mental Deficiency and Designating the Three Appointive Members of the Board of Administration as Such Board; Providing for Its

Organization and Headquarters; Prescribing Its Powers and Duties; Providing for a County Survey Board for Mental Deficiency and Designating the Commissioners of Insanity as Such Board, and Prescribing Its Powers and Duties; Defining Mental Deficiency; Providing for the Furnishing of Certain Information by Institutions, Boards of Education, Teachers, School Principals and Superintendents, Doctors, Nurses, Hospitals, County Health Officers, County Welfare Boards and State Boards and Commissions; Providing for a List of Mentally Deficient Persons to Be Furnished All County Judges; Prohibiting the Issuance of Marriage Licenses to Mentally Deficient Persons and Providing a Penalty for the Violation Thereof; Providing for Certain Exceptions; Providing for the Right of Appeal to the District Courts in Case of Refusal to Issue Marriage License and Prescribing the Time for Such Appeal; Repealing All Statutes in Direct Conflict With the Provisions Hereof; and Making an Appropriation Therefor.

Introduction, first reading, 272.  
 Referred to Committee on State Affairs.  
 Reported back, 542.  
 Amended, 542.  
 General Orders, 609, 659.  
 Re-referred to Committee on Judiciary, 609.  
 Second reading, 688.  
 Indefinitely postponed, 688.

**House Bill No. 152—(Reps. Ohnstad and Pyle)**

House Bill No. 152. A Bill for an Act Amending and Re-enacting Section 40-0706 of the North Dakota Revised Code of 1943 Relating to Compensation of Village Trustees, and Declaring an Emergency.

Introduction, first reading, 273.  
 Referred to Committee on Cities and Municipal Corporations.  
 Reported back, 435.  
 Amended, 435.  
 Engrossed, 466.  
 Second reading, 478.  
 Passed, 478.  
 Forwarded to Senate, 524.  
 Returned by Senate, 601.  
 Senate action, indefinitely postponed, 601.

**House Bill No. 153—(Rep. Johnson of Cass)**

House Bill No. 153. A Bill for an Act Re-enacting the Standing Appropriation for the Salary of the Assistant Attorney General, Acting as the Attorney for the Board of University and School Lands, and the Appropriation for the Salary of the Commissioner or District Judge Appointed by the Supreme Court to Administer the Affairs of Closed Banks in This State.

Introduction, first reading, 273.  
 Referred to Committee on Appropriations.  
 Reported back, 381.  
 Amended, 381.  
 Engrossed, 405.  
 Second reading, 408.  
 Passed, 408.

Forwarded to Senate, 418, 786.  
 Returned by Senate, 754, 1093.  
 Senate action, 754.  
 Enrolled, 776.  
 Signed by Speaker, 777.  
 Forwarded to Governor, 1104.

**House Bill No. 154—(Rep. Fleck by request)**

House Bill No. 154. A Bill for an Act Amending and Re-enacting Section 54-0609 of the North Dakota Revised Code of 1943 Relating to Mileage and Travel Expense of State Officers and Employees; and Declaring an Emergency.

Introduction, first reading, 273.  
 Referred to Committee on State Affairs.  
 Reported back, 355.  
 Indefinitely postponed, 355.

**House Bill No. 155—(Rep. Sellens)**

House Bill No. 155. A Bill for an Act to Amend and Re-enact Sections 43-1208, 43-1213, and 43-1215, North Dakota Revised Code of 1943, Relating to the Registration and Accrediting of Schools of Nursing, Prescribing the Courses of Instruction in the Subjects to Be Taught Therein, and for the Examination and Registration of Graduated Nurses.

Introduction, first reading, 273.  
 Referred to Committee on Public Health.  
 Reported back, 528.  
 Indefinitely postponed, 528.

**House Bill No. 156—(Rep. Johnson of Cass)**

House Bill No. 156. A Bill for an Act Appropriating Out of Monies Collected Under the Licensing of Amusement Games' Law, as Provided by Sections 53-0401 to 53-0408, Both Inclusive, of the North Dakota Revised Code of 1943, the Sum of Three Thousand Dollars (\$3000.00) for the Use of the Attorney General in Administering the Provisions of Said Act During the Biennium Ending June 30, 1947, Providing That Such Appropriation Shall Not Exceed the Amount of Revenue Collected Under Said Act.

Introduction, first reading, 274.  
 Referred to Committee on Appropriations.  
 Reported back, 381.  
 Amended, 381.  
 Engrossed, 405.  
 Second reading, 406.  
 Passed, 407.  
 Forwarded to Senate, 417, 786.  
 Returned by Senate, 754, 1093.  
 Senate action, 754.  
 Enrolled, 776.  
 Signed by Speaker, 777.  
 Forwarded to Governor, 1104.

**House Bill No. 157—(Reps. Thompson of Richland and Wollitz)**

House Bill No. 157. A Bill for an Act to Repeal Section 57-0903 North Dakota Revised Code of 1943.



Introduction, first reading, 274.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 528.  
Indefinitely postponed, 528.

**House Bill No. 158—(Reps. Luick, Wollitz and McInnes)**

House Bill No. 158. A Bill for an Act to Permit the Board of County Commissioners of Any County in North Dakota to Employ Highway Engineers, Providing for Their Duties and Method of Paying Such Engineers.

Introduction, first reading, 274.  
Referred to Committee on Counties.  
Reported back, 357.  
Second reading, 397, 976.  
Passed, 397, 977.  
Other action, 976, 1011.  
Forwarded to Senate, 417, 1081.  
Returned by Senate, 975, 1176.  
Senate action, amended, 975.  
Enrolled, 1059.  
Signed by Speaker, 1075, 1199.  
Forwarded to Governor, 1200.

**House Bill No. 159—(Committee on Insurance)**

House Bill No. 159. A Bill for an Act Amending and Re-enacting Section 26-0340 of the North Dakota Revised Code of 1943, Providing for a Standard Fire Insurance Policy for the State of North Dakota.

Introduction, first reading, 274.  
Referred to Committee on Insurance.  
Reported back, 501.  
Second reading, 554, 938.  
Passed, 554, 938.  
Other action, 938, 1011.  
Forwarded to Senate, 591, 999.  
Returned by Senate, 918, 1093.  
Senate action, amended, 918.  
Enrolled, 987.  
Signed by Speaker, 988.  
Forwarded to Governor, 1104.

**House Bill No. 160—(Rep. Smart, Fleck, Saumur and Brady)**

House Bill No. 160. A Bill for an Act Amending and Re-enacting Section 10-0807 of the North Dakota Revised Code of 1943, Relating to Real Estate Holdings of Religious and Charitable Organizations and Exempting Hospital Associations Organized for Non-profit from Provisions of Section; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading, 274.  
Referred to Committee on State Affairs.  
Reported back, 375.  
General Orders, 423, 448.  
Engrossed, 466.  
Second reading, 496.  
Passed, 496.  
Forwarded to Senate, 524, 786.

Returned by Senate, 755, 820.  
Senate action, 755.  
Enrolled, 776.  
Signed by Speaker, 777.  
Forwarded to Governor, 837.  
Approved by Governor, 938.

**House Bill No. 161—(Reps. Anderson, Halcrow, Schwartz and Sandness)**

House Bill No. 161. A Bill for an Act to Amend and Re-enact Subsection 3, Section 39-1204 of the Revised Code of North Dakota for 1943, Relating to Length Limitations on Motor Vehicles.

Introduction, first reading, 280.  
Referred to Committee on Highways and Bridges  
Reported back, 562, 645.  
Amended, 562, 645, 717.  
Re-referred to Committee on Highways and Bridges, 597.  
Engrossed, 696, 739.  
Second reading, 716.  
General Orders, 672.  
Passed, 716.  
Forwarded to Senate, 731, 1184.  
Returned by Senate, 1027.  
Senate action, passed, 1027.  
Enrolled, 1157.  
Signed by Speaker, 1183.  
Forwarded to Governor, 1199.

**House Bill No. 162—(Reps. Anderson, Halcrow, Schwartz and Sandness)**

House Bill No. 162. A Bill for an Act to Amend and Re-enact Sections 39-0423, 39-0424, and 39-0454 of the Revised Code of North Dakota for 1943, Relating to the Registration of Motor Trucks, Truck-tractors, Trailers and Semi-trailers on a Gross Weight Basis.

Introduction, first reading, 280.  
Referred to Committee on Highways and Bridges.  
Reported back, 563, 645.  
Amended, 563, 645.  
Re-referred to Committee on Highways and Bridges, 597.  
General Orders, 671.  
Engrossed, 696.  
Second reading, 701.  
Passed, 701.  
Forwarded to Senate, 707, 1081.  
Returned by Senate, 964, 1176.  
Senate action, passed, 965.  
Enrolled, 1059.  
Signed by Speaker, 1075.  
Forwarded to Governor, 1200.

**House Bill No. 163—(Reps. Symington and Dalzell)**

House Bill No. 163. A Bill for an Act Repealing That Initiated Measure, Adopted at the November 7, 1944 General Election and Entitled, "An Act to Secure for the State of North Dakota the Benefits of Federal Funds and

Grants in Aid of the Construction and Reconstruction of Public Highways and Bridges, Including Feeder Highways and Bridges, Authorizing the State Highway Department to Prepare a Highway Construction Program to Be Financed by the Issuance and Sale, in the Name of the State Highway Department, of State Highway Revenue Anticipation Certificates in an Aggregate Amount Not Exceeding \$12,360,000.00 Par Value, Bearing Interest at Not More Than Three Per Cent Per Annum, Payable Semiannually, Providing for the Sale of Such Certificates at Not Less Than Par and Accrued Interest, Subject to Call, Authorizing the Purchase Thereof and Investment Therein by the Bank of North Dakota, State Banks, Public Officers, Boards, Bureaus and Institutions, and the Acceptance Thereof as Security for Public Deposits, Directing the Payment of the Proceeds of Such Sale Into the State Highway Special Construction Fund Hereby Created and the Use Thereof in Affecting the Said Highway Construction Program, Providing for the Retirement of Such Certificates in Twenty Annual Installments, Imposing a One Cent Per Gallon Motor Vehicle Fuel Tax Upon all Dealers in Motor Vehicle Fuels, Excepting Only Motor Vehicle Fuels Sold and Used Solely for Agricultural and Industrial Purposes, Creating the State Highway Revenue Anticipation Certificate Retirement Fund Into Which the Said Motor Vehicle Fuel Tax Shall Be Paid, Authorizing the Transfer Into Such Fund from the State Highway Fund of Such Amounts, Not Exceeding \$250,000.00 in Any One Year, as May Be Required to Meet Any Deficit Resulting from the Retirement of Said Certificates, and Pledging and Appropriating Such Fund for the Payment of Said Certificates, Prescribing Penalties for the Violation of Any Provision of This Act, Providing a Safety Clause to the Effect That if Any Part of This Act Shall Be Found Invalid It Shall Be Presumed That the Act Would Have Been Enacted Without Such Invalid Section, and Providing for the Repeal of Chapter 263, of the Session Laws of 1943," and Declaring an Emergency.

Introduction, first reading, 280.

Referred to Committee on Tax and Tax Laws.

Reported back, 468.

Second reading, 548.

Killed, 549.

**House Bill No. 164—(Reps. Graham and Ohnstad)**

House Bill No. 164. A Bill for an Act to Permit a Surviving Husband or Wife to Dissent from the Terms of a Will, and to Elect to Inherit Under the Laws of Succession.

Introduction, first reading, 281.

Referred to Committee on Judiciary.

Reported back, 435.

Second reading, 475.

Killed, 475.

**House Bill No. 165—(Rep. Halcrow, Fuglestad, Sandness and Langley)**

House Bill No. 165. A Bill for an Act Prohibiting Manufacturers and Wholesalers of Beer or Alcohol and Alcoholic Beverages from Having Any Financial Interest in the Busi-

ness of a Retailer of Beer or Alcohol and Alcoholic Beverages, and Prohibiting Such Manufacturers and Wholesalers from Giving Financial Aid or Furnishing Fixtures or Other Equipment to Such Retailers, and Providing Penalties for a Violation of This Act.

Introduction, first reading, 281.  
 Referred to Committee on Temperance.  
 Reported back, 416.  
 Second reading, 459.  
 Passed, 459.  
 Forwarded to Senate, 474, 933.  
 Returned by Senate, 888, 994.  
 Senate action, passed, 888.  
 Enrolled, 926.  
 Signed by Speaker, 930.  
 Forwarded to Governor, 1009.

**House Bill No. 166**—(Reps. Wolf of McIntosh and McInnes)

Introduction, first reading, 281.  
 Referred to Committee on Public Printing.  
 Withdrawn, 286.

**House Bill No. 167**—(Reps. Wolf of McIntosh and McInnes)

Introduction, first reading, 281.  
 Referred to Committee on Ways and Means.  
 Withdrawn, 286.

**House Bill No. 168**—(Reps. Ohnstad and Saumur by request)

House Bill No. 168. A Bill for an Act to Define and Regulate the Business of Lending in Amounts of \$1000 or Less and Declaring the Legislative Intent for So Doing; to Authorize the Licensing of Persons Engaged in Such Business; to Permit Such Licensees to Make Other Charges Than Lenders Not Licensed Hereunder; to Prescribe Maximum Rates of Interest and Agreed Charges Which Licensees Are Permitted to Make; to Regulate Assignments of Wages or Salaries, Earned or to Be Earned, When Given as Security for a Loan to a Lender Licensed Under This Act; to Provide for the Administration and Enforcement of This Act and for the Issuance of Regulations and Orders Therefor; to Authorize the Making of Examinations and Investigations and the Publication of Reports Thereof; to Provide for a Review of Administrative Acts Hereunder; to Prescribe Penalties; and to Repeal All Acts and Parts of Acts Whether General, Special, or Local, Which Relate to the Same Subject Matter as This Act, So Far as They Are Inconsistent with the Provisions of This Act.

Introduction, first reading, 281.  
 Referred to Committee on Ways and Means.  
 Reported back, 656.  
 Indefinitely postponed, 656.

**House Bill No. 169**—(Reps. Symington, Halcrow and Dalzell)

House Bill No. 169. A Bill for an Act to Provide for the Organization of All the Territory Within an Organized Township as a Special School District Where There Is More Than One School District Within Such Organized Township,

and to Provide for the Organization of All Territory Within Organized Townships as a Special School District Where the School District Is Situated in More Than One Organized Township.

Introduction, first reading, 290.  
 Referred to Committee on Education.  
 Reported back, 623.  
 General Orders, 670.  
 Other action, 625.  
 Indefinitely postponed, 670.

**House Bill No. 170—(Rep. Graham)**

House Bill No. 170. A Bill for an Act Requiring All Conditional Sale Contracts to Be Executed by Both Husband and Wife, and Providing That Without the Written Consent of the Purchasers Under a Conditional Sale Contract, Property May Be Repossessed Only By Court Action.

Introduction, first reading, 290.  
 Referred to Committee on Judiciary.  
 Reported back, divided report, 527.  
 Indefinitely postponed, 527.

**H. B. No. 171—(Rep. Fleck)**

House Bill No. 171. A Bill for an Act Authorizing the Governing Body of Any Municipality to Designate Voting Precincts and Polling Places for Certain Municipal Elections.

Introduction, first reading, 290.  
 Referred to Committee on Cities and Municipal Corporations.  
 Reported back, 435.  
 Second reading, 466, 476.  
 Lost, 466.  
 Passed, 476.  
 Other action, 476.  
 Forwarded to Senate, 524, 786.  
 Returned by Senate, 755, 820.  
 Senate action, 755.  
 Enrolled, 776.  
 Signed by Speaker, 777.  
 Forwarded to Governor, 837.  
 Approved by Governor, 938.

**House Bill No. 172—(Reps. Thompson of Richland, Wolf of McIntosh and Bagge)**

House Bill No. 172. A Bill for an Act to Amend and Re-enact Section 49-1802 of the North Dakota Revised Code of 1943, Providing for Certain Exemptions to Farmers Hauling Own Goods from the Provisions of Chapter 49-18, North Dakota Revised Code of 1943.

Introduction, first reading, 290.  
 Referred to Committee on Highways and Bridges.  
 Reported back, 433.  
 Amended, 443.  
 Engrossed, 466.  
 Second reading, 486, 1140.  
 Passed, 486, 1140.  
 Other action, 1104, 1143.  
 Conference committees, 1105, 1109, 1117.

Forwarded to Senate, 523, 1194.  
 Returned by Senate, 1027, 1201.  
 Senate action, amended, 1028, 1140.  
 Enrolled, 1192.  
 Signed by Speaker, 1192.  
 Forwarded to Governor, 1204.

**House Bill No. 173**—(Reps. Hofstrand, Sandness, Haugen, Wolf of McIntosh, Bubel and Allen of Pierce)

**House Bill No. 173.** A Bill for an Act Requiring All Persons, Partnerships, Groups, Associations or Corporations, Soliciting or Receiving Funds from the General Public or from Any Individual, Partnership, Group, Association or Corporation, to Be Used for the Purpose of Promoting, Defeating, or Repeal of Proposed Legislation or Constitutional Amendments, to File with the Secretary of State a Statement of the Amount of Funds Received and Accepted, the Names of Persons, Partnerships, Associations or Corporations from Whom Received; Making Certain Exceptions; Providing Penalties for Violation.

Introduction, first reading, 291.  
 Referred to Committee on State Affairs.  
 Reported back, 404.  
 Amended, 404.  
 General Orders, 423.  
 Engrossed, 442.  
 Second reading, 464.  
 Passed, 465.  
 Forwarded to Senate, 475.  
 Returned by Senate, 1063.  
 Senate action, indefinitely postponed, 1063.

**House Bill No. 174**—(Reps. Allen of Grand Forks, Lillehaugen and Bureau)

**House Bill No. 174.** A Bill for an Act to Amend and Re-enact Section 15-3404 of the North Dakota Revised Code of 1943, Relating to Payment of Transportation by School Boards, Repeal.

Introduction, first reading, 291.  
 Referred to Committee on Education.  
 Reported back, 416.  
 Indefinitely postponed, 416.

**House Bill No. 175**—(Reps. Fitch, Johnson of Richland and Yirchott)

**House Bill No. 175.** A Bill for an Act Amending and Re-enacting Sections 39-0609 and 39-0613 of the North Dakota Revised Code of 1943 Relating to Motor Vehicle Operator's License Fees.

Introduction, first reading, 291.  
 Referred to Committee on Ways and Means.  
 Withdrawn, 519.

**House Bill No. 176**—(Reps. Fitch and Crockett)

**House Bill No. 176.** A Bill for an Act to Amend and Re-enact Section 26-0107 of the Revised Codes of North Dakota

for 1943 Regarding Examination of Insurance Companies; and Declaring an Emergency.

Introduction, first reading, 291.  
Referred to Committee on Insurance.  
Reported back, 501.  
Second reading, 553.  
Passed, 553.  
Forwarded to Senate, 591.  
Returned by Senate, 888.  
Senate action, indefinitely postponed, 888.

**House Bill No. 177—(Reps. Brady, Fleck and Sticka)**

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 39-0459 of the North Dakota Revised Code of 1943, Providing for Motor Vehicle Dealer Licenses and the Fees Therefor, and Requiring a Bond; Requiring the Delivery of Certificate of Title for Motor Vehicles; Providing for the Cancellation of Dealers' Licenses by the Registrar of Motor Vehicles.

Introduction, first reading, 291.  
Referred to Committee on Ways and Means.  
Re-referred to Committee on Ways and Means, 519.  
Reported back, 442, 657.  
Amended, 442, 657.  
General Orders, 703.  
Engrossed, 739.  
Second reading, 723.  
Passed, 723.  
Other action, 1150.  
Forwarded to Senate, 731, 1194.  
Returned by Senate, 1034, 1202.  
Senate action, amended, 1035.  
Enrolled, 1192.  
Signed by Speaker, 1192.  
Forwarded to Governor, 1204.

**House Bill No. 178—(Rep. Johnson of Cass)**

House Bill No. 178. A Bill for an Act to Amend and Re-enact Section 54-1304 of the North Dakota Revised Code of 1943, Relating to the Examination and Audit of State Departments and Institutions of Higher Education by the Board of Auditors.

Introduction, first reading, 291.  
Referred to Committee on State Affairs.  
Reported back, 468.  
Second reading, 551, 1148.  
Passed, 552, 1148.  
Other action, 1147.  
Forwarded to Senate, 591.  
Returned by Senate, 810.  
Senate action, indefinitely postponed, 811.

**House Bill No. 179—(Reps. Symington and Hofstrand)**

House Bill No. 179. A Bill for an Act Assessing and Levying from July 1, 1945, to July 1, 1947, on All Licensed Dealers of Motor Vehicle Fuels, a Special License Tax of One-half Cent Per Gallon on Motor Vehicle Fuels Sold by

Them for Agricultural or Industrial Purposes and Sold to Holders of Licenses to Purchase Tax Exempt Motor Fuel; Appropriating the Proceeds of Such Special Tax for Use in Construction, Reconstruction and Maintenance of Rural Highways; Making All the Provisions of Chapter 57-41 of the North Dakota Revised Code of 1943, and Amendments Thereto, and Known as the Motor Fuel Tax Law, Applicable to Said Tax Except as Inconsistent Herewith; Providing for the Distribution of Said Tax, and Penalties for the Violation of This Act.

Introduction, first reading, 297.

Referred to Committee on Tax and Tax Laws.

Reported back, 469.

Indefinitely postponed, 469.

**House Bill No. 180**—(Reps. Mork Mollet, Schmidt of Morton, Moerke, Engel, Frank and Tuff)

House Bill No. 180. A Bill for an Act to Amend and Re-enact Section 20-0302 of the North Dakota Revised Code of 1943, Relating to Licenses of Residents and Owners and Lessees of Land to Hunt and Fish, Regulating the Sale and Tagging of Deer Hides, and Providing Exceptions.

Introduction, first reading, 302.

Referred to Committee on Game and Fish.

Reported back, 529.

Second reading, 568, 1153.

Passed, 568, 1153.

Other action, 1153, 1154.

Forwarded to Senate, 591, 1194.

Returned by Senate, 1027, 1202.

Senate action, amended, 1028.

Enrolled, 1192.

Signed by Speaker, 1192.

Forwarded to Governor, 1204.

**House Bill No. 181**—(Reps. Schmalenberger, Bubel and Esterby)

House Bill No. 181. A Bill for an Act to Provide for the Manner of Posting of Lands by the Owner or Tenant to Prohibit Hunting, and Amending and Re-enacting Section 20-0115 of the North Dakota Revised Code of 1943.

Introduction, first reading, 302.

Referred to Committee on Game and Fish.

Reported back, 528.

Second reading, 567.

Passed, 567.

Forwarded to Senate, 591, 999.

Returned by Senate, 970, 1093.

Senate action, passed, 970.

Enrolled, 987.

Signed by Speaker, 988.

Forwarded to Governor, 1104.

**House Bill No. 182**—(Reps. Johnson of Richland, Graham, Wolf of Morton and Arndt)

House Bill No. 182. A Bill for an Act Amending and Re-enacting the Social Security Unemployment Compensation



Act by Amending and Re-enacting Subsection 11 of Section 52-0101, of the North Dakota Revised Code of 1943, Relating to Definitions; Section 52-0504, of the North Dakota Revised Code of 1943, Relating to Termination as an Employer and the Regulations Governing; Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 302.

Referred to Committee on Ways and Means.

Re-referred to Committee on Insurance, 593.

Indefinitely postponed, 594.

**House Bill No. 183—(Rep. Hovey)**

House Bill No. 183. A Bill for an Act to Amend and Re-enact Section 15-3912 of the North Dakota Revised Code of 1943, Relating to Eligibility to Membership of Teachers in the Teachers Insurance and Retirement Fund.

Introduction, first reading, 302.

Referred to Committee on Education.

Reported back, 619.

Amended, 619.

Engrossed, 655.

Second reading, 682.

Killed, 682.

**House Bill No. 184—(Reps. Forseth, Esterby and Frank)**

House Bill No. 184. A Bill for an Act Amending and Re-enacting Sections 14-1001 and 14-1002 of the North Dakota Revised Code of 1943, Defining Minors and Adults.

Introduction, first reading, 303.

Referred to Committee on State Affairs.

Reported back, 468.

Indefinitely postponed, 469.

**House Bill No. 185—(Reps. Ohnstad and Pyle)**

House Bill No. 185. A Bill for an Act Declaring the Rank Growth of Grass and Weeds Within the Limits of an Incorporated City or Village on Public Property a Public Nuisance, Authorizing the Governing Body of Any Such City or Village to Declare the Such Growth of Grass or Weeds on Private Property a Public Nuisance, and Providing for the Abatement Thereof.

Introduction, first reading, 303.

Referred to Committee on Cities and Municipal Corporations.

Reported back, 599.

Amended, 599.

General Orders, 650.

Engrossed, 655.

Second reading, 693, 1163.

Passed, 693, 1163.

Other action, 1162, 1164.

Forwarded to Senate, 707, 1194.

Returned by Senate, 1027, 1202.

Senate action, amended, 1028.

Enrolled, 1192.

Signed by Speaker, 1192.

Forwarded to Governor, 1204.

**House Bill No. 186—(Reps. Sharpe and Lindberg)**

House Bill No. 186. A Bill for an Act to Amend and Re-enact Section 46-0209 of the North Dakota Revised Code of 1943, Relating to Proposals for Printing: Classification 5.

Introduction, first reading, 303.  
Referred to Committee on Public Printing.  
Reported back, 562.  
Amended, 562.  
Engrossed, 602.  
Second reading, 616.  
Passed, 617.  
Forwarded to Senate, 632, 999.  
Returned by Senate, 913, 1093.  
Senate action, passed, 914.  
Enrolled, 987.  
Signed by Speaker, 988.  
Forwarded to Governor, 1104.

**House Bill No. 187—(Reps. Schnell and Fitch)**

House Bill No. 187. A Bill for an Act to Promote and Protect the Public Health and to Bring About a Wider Distribution of Medical Care in This State by Authorizing Nonprofit Medical Service Corporations to Be Established for the Purpose of Putting Into Effect Plans for the Benefit of Subscribers Making Specified Payments; Providing for the Supervision and Regulation of Such Medical Service Corporations by the Commissioner of Insurance; Investment of Funds and Declaring an Emergency.

Introduction, first reading, 303.  
Referred to Committee on Ways and Means.  
Reported back, 539.  
Second reading, 613.  
Passed, 613.  
Forwarded to Senate, 632, 882.  
Returned by Senate, 809, 915.  
Senate action, passed, 810.  
Enrolled, 873.  
Signed by Speaker, 877.  
Forwarded to Governor, 928.  
Approved by Governor, 1009.

**House Bill No. 188—(Reps. Sharpe and Isaak)**

House Bill No. 188. A Bill for an Act for School Districts to Transfer from the Special Reserve Fund One-Half of the Amounts Previously Transferred from General Funds Into the Special Reserve Funds, and Providing That Such Transfer Must Be Made Within Six Months After the Effective Date of This Act, and Declaring an Emergency.

Introduction, first reading, 303.  
Referred to Committee on Education.  
Reported back, 619.  
Second reading, 681.  
Passed, 681.  
Forwarded to Senate, 686, 933.  
Returned by Senate, 913, 995.  
Senate action, passed, 914.  
Enrolled, 926.  
Signed by Speaker, 930.  
Forwarded to Governor, 1009.

**House Bill No. 189—(Reps. Isaak and Sharpe)**

House Bill No. 189. A Bill for an Act Permitting School Districts to Transfer from a School District's Special Reserve Fund Any Amounts in Such Special Reserve Fund Which Have Been by School Districts Treated in the Budget as Cash on Hand and Deducted from the Amount Required to Be Levied, and Declaring an Emergency.

Introduction, first reading, 303.  
 Referred to Committee on Education.  
 Reported back, 619.  
 Second reading, 680.  
 Passed, 680.  
 Forwarded to Senate, 686, 1000.  
 Returned by Senate, 913, 1093.  
 Senate action, passed, 914.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 190—(Rep. Wollitz)**

House Bill No. 190. A Bill for an Act to Provide That Certain Statements of Agents, Salesmen or Dealers Shall Be Deemed Statements of their Manufacturers, Wholesalers or Distributors.

Introduction, first reading, 303.  
 Referred to Committee on Judiciary.  
 Reported back, 598.  
 To General Orders, 638.  
 General Orders, 672.  
 Engrossed, 696.  
 Second reading, 698, 1173.  
 Passed, 698, 1173.  
 Other action, 1152, 1154, 1162, 1172, 1174.  
 Conference committees, 1153, 1156.  
 Forwarded to Senate, 707, 1194.  
 Returned by Senate, 1027, 1202.  
 Senate action, amended, 1028.  
 Enrolled, 1192.  
 Signed by Speaker, 1192.  
 Forwarded to Governor, 1204.

**House Bill No. 191—(Rep. Lindberg, by request)**

House Bill No. 191. A Bill for an Act Requiring Each State's Attorney to Give to Every Person Making Complaint of the Commission of Any Crime or Misdemeanor by Any Person Within His County, a Statement in Writing Over His Signature, or That of His Assistant, Stating the Name of the Person Making the Complaint of; the Approximate Date of Such Act; the Name of the Person Suspected of Committing Such Act; and the Date of Such Complaint; Making It the Duty of Each State's Attorney to Keep a Written Record of Such Complaints, and to Make a Monthly Report to the Attorney General of Every Such Complaint Made to Him Within the Preceding Calendar Month, and His Disposition Thereof; Requiring the County Commissioners of Each County to Provide Proper Record Books and Blanks for the

**Use of the State's Attorney in Complying with the Terms of This Act.**

- Introduction, first reading, 304.
- Referred to Committee on Ways and Means.
- Reported back, 539.
- Indefinitely postponed, 539.

**House Bill No. 192—(Reps. Halcrow and Fuglestad, by request)**

House Bill No. 192. A Bill for an Act Requiring Proof by Affidavit of Certain Facts Before Issuance of License for Retail Sale of Beer and Ale by State Tax Commissioner Under Section 5-0203 of the North Dakota Revised Code of 1943.

- Introduction, first reading, 304.
- Referred to Committee on Temperance.
- Reported back, 530.
- Amended, 571.
- Engrossed, 602.
- Second reading, 570.
- Passed, 570.
- Forwarded to Senate, 591.
- Returned by Senate, 811.
- Senate action, indefinitely postponed, 811.

**House Bill No. 193—(Rep. Fitch)**

House Bill No. 193. A Bill for an Act to Prohibit Libel.

- Introduction, first reading, 304.
- Referred to Committee on Judiciary.
- Reported back, 536.
- Indefinitely postponed, 536.

**House Bill No. 194—(Rep. Fitch)**

House Bill No. 194. A Bill for an Act Authorizing Administration of Oaths and Taking of Acknowledgments by a Commissioned Officer, a Non-commissioned Officer Not Below the Grade of Sergeant and a Petty Officer in the Armed Forces of the United States of America; Declaring Valid Oaths and Acknowledgments Taken Prior to the Effective Date of This Act and Declaring an Emergency.

- Introduction, first reading, 304.
- Referred to Committee on Veterans and Military Affairs.
- Reported back, 466.
- Amended, 466.
- Engrossed, 518.
- Second reading, 546.
- Passed, 547.
- Forwarded to Senate, 591, 1082.
- Returned by Senate, 970, 1176.
- Senate action, passed, 970.
- Enrolled, 1058.
- Signed by Speaker, 1075.
- Forwarded to Governor, 1200.

**House Bill No. 195—(Rep. Schnell)**

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 19-0202, of the North Dakota Revised Code of

**1943, Relating to Definitions, Rules, Regulations and Standards of Foods and Drugs.**

Introduction, first reading, 304.  
 Referred to Committee on Public Health.  
 Reported back, 542, 595.  
 General Orders, 647.  
 Engrossed, 655.  
 Second reading, 683.  
 Passed, 683.  
 Other action, 542.  
 Forwarded to Senate, 686, 1114.  
 Returned by Senate, 1027, 1176.  
 Senate action, passed, 1027.  
 Enrolled, 1085.  
 Signed by Speaker, 1111.  
 Forwarded to Governor, 1200.

**House Bill No. 196—(Rep. Klefstad)**

**House Bill No. 196. A Bill for an Act Relating to the Authority of Villages to Regulate the Demolition, Repair or Removal of Substandard Buildings or Structures.**

Introduction, first reading, 304.  
 Referred to Committee on Cities and Municipal Corporations.  
 Reported back, 435.  
 Amended, 435.  
 General Orders, 519.  
 Second reading, 557.  
 Passed, 557.  
 Other action, 890, 1007, 1013.  
 Conference committees, 890, 913, 1007.  
 Forwarded to Senate, 592, 891, 1114.  
 Returned by Senate, 810, 913, 1176.  
 Senate action, amended, 810, 1008.  
 Enrolled, 1085.  
 Signed by Speaker, 1111.  
 Forwarded to Governor, 1200.

**House Bill No. 197—(Reps. McInnes, Bagge, Wambheim, Fuglestad and Ostgulen)**

**House Bill No. 197. A Bill for an Act to Provide for the Establishment, by Local Option, of Municipal Liquor Stores in Duly Incorporated Towns, Cities and Villages Having a Population Not in Excess of 2000 Inhabitants; and to Provide for the Operation and Management Thereof; and for the Distribution of the Profits Accruing Therefrom.**

Introduction, first reading, 305.  
 Referred to Committee on Temperance.  
 Reported back, divided report, 472, 530.  
 Re-referred to Committee on Temperance, 472.  
 Amended, 530.  
 General Orders, 607.  
 Engrossed, 626.  
 Second reading, 640, 983.  
 Passed, 640, 983.  
 Other action, 983, 1011.  
 Forwarded to Senate, 675, 1112.  
 Returned by Senate, 941, 1176.  
 Senate action, amended, 941.

Enrolled, 1085.  
Signed by Speaker, 1111.  
Forwarded to Governor, 1200.

**House Bill No. 198—(Rep. Olson of Barnes)**

House Bill No. 198. A Bill for an Act Authorizing the Electors of Townships to Empower the Board of Supervisors to Provide by Contract or Otherwise, for the Prevention of, Protection from and Extinguishment of Fires Within the Townships.

Introduction, first reading, 305.  
Referred to Committee on Cities and Municipal Corporations.  
Reported back, 435.  
Second reading, 477.  
Passed, 477.  
Forwarded to Senate, 523, 786.  
Returned by Senate, 755, 820.  
Senate action, 755.  
Enrolled, 776.  
Signed by Speaker, 777.  
Forwarded to Governor, 837.  
Approved by Governor, 938.

**House Bill No. 199—(Reps. Graham and Fitch)**

House Bill No. 199. A Bill for an Act Providing Procedure for an Appeal to the District Court from Actions, Determinations and Judgments of the Workmen's Compensation Bureau, Providing for Costs of Such Procedure and Providing for Appeal from the District Court to the Supreme Court and Repealing Conflicting Acts.

Introduction, first reading, 305.  
Referred to Committee on Judiciary.  
Reported back, 527.  
Indefinitely postponed, 527.

**House Bill No. 200—(Reps. Stormon and Wambheim)**

House Bill No. 200. A Bill for an Act Amending and Re-enacting Section 1-0301 of the North Dakota Revised Code of 1943 Relating to Holidays.

Introduction, first reading, 305.  
Referred to Committee on State Affairs.  
Reported back, 469.  
Second reading, 552.  
Passed, 552.  
Forwarded to Senate, 592, 883.  
Returned by Senate, 810, 915.  
Senate action, passed, 810.  
Enrolled, 873.  
Signed by Speaker, 877.  
Forwarded to Governor, 928.  
Approved by Governor, 1009.

**House Bill No. 201—(Reps. Wolf of McIntosh, Haugen, Bubel and Haag)**

House Bill No. 201. A Bill for an Act Providing That All Political Advertisements Shall Disclose the Name or Names of the Person or Persons, Associations, Partnerships or

Corporations Sponsoring Such Advertisements; the Name or Names of Any Person or Persons, Associations, Partnerships or Corporations Paying for Such Advertisements; and Providing Penalties for Violation Thereof.

Introduction, first reading, 305.  
 Referred to Committee on Election and Election Privileges.  
 Reported back, 542.  
 Second reading, 615, 936.  
 Passed, 615, 936.  
 Other action, 935, 1073.  
 Forwarded to Senate, 632, 999.  
 Returned by Senate, 918, 1093.  
 Senate action, amended, 918.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 202—(Reps. Fitch and Johnson of Cass)**

House Bill No. 202. A Bill for an Act to Amend and Re-enact Section 26-2401 of North Dakota Revised Code of 1943, to Further Define the Term "Permanent Contents"; and to Amend and Re-enact Section 26-2409, North Dakota Revised Code of 1943, 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, and Repealing All Laws or Parts of Laws in Conflict Herewith.

Introduction, first reading, 305.  
 Referred to Committee on Insurance.  
 Reported back, 664.  
 Second reading, 720.  
 Killed, 721.

**House Bill No. 203—(Reps. Schmalenberger, Schnell and Sticka)**

House Bill No. 203. A Bill for an Act Creating and Establishing an Addition to the Agricultural Experiment Station at Dickinson, North Dakota, and Providing for the Purchase of 632 Acres, More or Less, of Section 5, Township 139, Range 96 in Stark County, North Dakota, or Other Suitable and Adequate Acreage Selected by the State Board of Higher Education and Providing for the Use and Management Thereof; and Making an Appropriation Therefor and Declaring an Emergency.

Introduction, first reading, 306.  
 Referred to Committee on State Affairs.  
 Reported back, 468, 597.  
 Re-referred to Committee on Appropriations, 468.  
 Second reading, 629, 1061.  
 Passed, 630, 1061.  
 Other action, 1060, 1062.

Forwarded to Senate, 675, 1184.  
 Returned by Senate, 1028.  
 Senate action, amended, 1028.  
 Enrolled, 1157.  
 Signed by Speaker, 1183.  
 Forwarded to Governor, 1199.

**House Bill No. 204—(Committee on Tax and Tax Laws)**

House Bill No. 204. A Bill for an Act to Permit the Purchase of Motor Vehicle Fuel to Be Used Solely for Agricultural, Industrial and Domestic Purposes Without the Payment of a Motor Vehicle Fuel Tax on the Purchase Price Thereof; Providing for the Licensing of Purchasers and Dealers, and Providing for the Administration of This Act by the State Auditor; Providing Penalties for the Violation of This Act, and Repealing Sections 57-4121, 57-4122, 57-4123, 57-4124, 57-4125, 57-4126, 57-4127, 57-4128, 57-4129, 57-4130, and 57-4131, North Dakota Revised Code of 1943.

Introduction, first reading, 306.  
 Referred to Committee on State Affairs.  
 Reported back, 538.  
 Indefinitely postponed, 538.

**House Bill No. 205—(Reps. Stormon and Sharpe)**

House Bill No. 205. A Bill for an Act Providing for the Cancellation of State Treasurer's Checks More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

Introduction, first reading, 306.  
 Referred to Committee on Ways and Means.  
 Reported back, 539.  
 Second reading, 612.  
 Passed, 612.  
 Forwarded to Senate, 632, 1000.  
 Returned by Senate, 913, 1094.  
 Senate action, passed, 914.  
 Enrolled, 988.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 206—(Rep. Belzer)**

House Bill No. 206. A Bill for an Act Amending and Re-enacting Subsection 1 of Section 26-0111, of the North Dakota Revised Code of 1943, Relating to Commissioner of Insurance to Collect Premium Tax; Insurance Companies Generally; Domestic Fire Insurance Companies; Computation.

Introduction, first reading, 306.  
 Referred to Committee on Insurance.  
 Reported back, 564.  
 Indefinitely postponed, 564.

**House Bill No. 207—(Committee on Tax and Tax Laws)**

House Bill No. 207. A Bill for an Act to Freeze License Fees on Passenger Motor Vehicles and Trucks at the Same Tax as Paid for the Year 1945 During the Years 1946 and 1947.



Introduction, first reading, 306.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 467.  
Amended, 467.  
Engrossed, 518.  
Second reading, 547, 548.  
Passed, 548.  
Forwarded to Senate, 592.  
Returned by Senate, 811.  
Senate action, indefinitely postponed, 811.

**House Bill No. 208—(Reps. Luick and Wollitz)**

House Bill No. 208. A Bill for an Act to Amend and Re-enact Section 61-2114 of the North Dakota Revised Code of 1943, Providing for Notice of and Hearing on Petition and Surveyor's Report.

Introduction, first reading, 307.  
Referred to Committee on Drainage and Irrigation.  
Reported back, 443.  
Second reading, 487.  
Passed, 487.  
Forwarded to Senate, 523, 999.  
Returned by Senate, 914, 1094.  
Senate action, passed, 914.  
Enrolled, 987.  
Signed by Speaker, 988.  
Forwarded to Governor, 1104.

**House Bill No. 209—(Reps. Schimke, Larson, Moerke, Anderson, Mollet and Tuff)**

House Bill No. 209. A Bill for an Act Prohibiting the Advertising of Intoxicating Liquors Within the State of North Dakota.

Introduction, first reading, 307.  
Referred to Committee on Temperance.  
Reported back, 443.  
Indefinitely postponed, 443.

**House Bill No. 210—(Reps. Belzer and Monson, by request)**

House Bill No. 210. A Bill for an Act to Amend and Re-enact Section 61-1230 of the North Dakota Revised Code of 1943.

Introduction, first reading, 307.  
Referred to Committee on Drainage and Irrigation.  
Reported back, 644.  
Amended, 644.  
General Orders, 670.  
Engrossed, 702.  
Second reading, 713.  
Passed, 713.  
Forwarded to Senate, 731, 933.  
Returned by Senate, 914, 995.  
Senate action, passed, 914.  
Enrolled, 926.  
Signed by Speaker, 930.  
Forwarded to Governor, 1009.

**House Bill No. 211—(Committee on Temperance)**

House Bill No. 211. A Bill for an Act Amending and Re-enacting Section 5-0202 and Repealing Sections 5-0208 and 5-0209 of the North Dakota Revised Code of 1943 Relating to the Sale of Beer and Ale.

Introduction, first reading, 307.

Referred to Committee on Temperance.

Reported back, 471, 618.

Amended, 471, 618.

Engrossed, 518, 696, 740.

Re-referred to Committee on Temperance, 547.

General Orders, 668, 708.

Second reading, 727.

Killed, 727.

**House Bill No. 212—(Committee on Temperance)**

House Bill No. 212. A Bill for an Act to Amend and Re-enact Sections 5-0302, 5-0303 and 5-0320 of the North Dakota Revised Code of 1943 Relating to Sale of Liquor.

Introduction, first reading, 307.

Referred to Committee on Temperance.

Reported back, 538, 622.

Amended, 538, 622.

Engrossed, 602, 655, 740.

Re-referred to Committee on Temperance, 610.

General Orders, 708.

Second reading, 690, 728.

Killed, 728.

**House Bill No. 213—(Rep. Johnson of Cass)**

House Bill No. 213. A Bill for an Act Amending and Re-enacting Section 37-0301 of the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

Introduction, first reading, 307.

Referred to Committee on Veterans and Military Affairs.

Reported back, 438.

Second reading, 481.

Passed, 481.

Forwarded to Senate, 523, 1082.

Returned by Senate, 970, 1177.

Senate action, passed, 970.

Enrolled, 1058.

Signed by Speaker, 1075.

Forwarded to Governor, 1200.

**House Bill No. 214—(Committee on Public Welfare)**

House Bill No. 214. A Bill for an Act to Amend and Re-enact Sections 50-0701, 50-0703, and 50-0715 of the North Dakota Revised Code of 1943 Pertaining to Definitions, Eligibility for Assistance, Payment of Assistance to Guardian for Benefit of Recipient, and Providing for Authority to Compromise and Settle Claims, for Old Age Assistance.

Introduction, first reading, 307.

Referred to Committee on Public Welfare.

Reported back, 445, 659.

Amended, 659.

Indefinitely postponed, 496.  
 Reconsidered, 583.  
 Re-referred to Committee, 583.  
 General Orders, 704.  
 Second reading, 725.  
 Passed, 725.  
 Forwarded to Senate, 731, 999.  
 Returned by Senate, 930.  
 Senate action, passed, 930.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 215—(Committee on Public Welfare)**

House Bill No. 215. A Bill for an Act to Amend and Re-enact Sections 50-0901 and 50-0905 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Dependent Children.

Introduction, first reading, 307.  
 Referred to Committee on Public Welfare.  
 Reported back, 658.  
 Amended, 658.  
 General Orders, 704.  
 Engrossed, 739.  
 Second reading, 724.  
 Passed, 724.  
 Forwarded to Senate, 731, 999.  
 Returned by Senate, 930, 1094.  
 Senate action, passed, 930.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 216—(Reps. Olson of Barnes and Yirchott, by request)**

House Bill No. 216. A Bill for an Act Repealing Section 1-0143 of the North Dakota Revised Code of 1943 Relating to Mountain Time for the State of North Dakota.

Introduction, first reading, 308.  
 Referred to Committee on Ways and Means.  
 Reported back, 444.  
 Indefinitely postponed, 444.

**House Bill No. 217—(Committee on Public Welfare)**

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 50-0801 and 50-0803 of the North Dakota Revised Code of 1943 Pertaining to Definitions and Eligibility for Assistance for Aid to Needy Blind.

Introduction, first reading, 308.  
 Referred to Committee on Public Welfare.  
 Reported back, 443.  
 Second reading, 482.  
 Passed, 482.  
 Forwarded to Senate, 523, 999.  
 Returned by Senate, 930, 1094.  
 Senate action, passed, 930.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 218**—(Reps. Collette, Halcrow, Levin, Saumur, McInnes, Ohnstad, Pyle, Thompson of Richland, Wollitz, Bagge, Stanley, Gainor and Lillehaugen)

House Bill No. 218. A Bill for an Act to Amend and Re-enact Section 61-2142 of the North Dakota Revised Code of 1943, as Amended by Chapter 14 of the 1944 Special Session Laws, Relating to Repairs of Existing Drains and Declaring an Emergency.

Introduction, first reading, 308.  
Referred to Committee on Drainage and Irrigation.  
Reported back, 443.  
Engrossed, 518.  
Second reading, 488.  
Passed, 488.  
Forwarded to Senate, 523, 999.  
Returned by Senate, 930, 1094.  
Senate action, passed, 930.  
Enrolled, 987.  
Signed by Speaker, 988.  
Forwarded to Governor, 1104.

**House Bill No. 219**—(Reps. Collette, Halcrow, Levin, Saumur, McInnes, Ohnstad, Pyle, Thompson of Richland, Luick, Johnson of Richland, Klefstad, Severson, Wollitz, Bagge, Stanley, Gainor and Lillehaugen.)

House Bill No. 219. A Bill for an Act to Amend and Re-enact Section 61-2135 of the North Dakota Revised Code of 1943, Providing That Drains May Be Laid Along Roads and Railroads and Providing for the Building and Keeping in Repair.

Introduction, first reading, 308.  
Referred to Committee on Drainage and Irrigation.  
Reported back, 444.  
Second reading, 489.  
Passed, 489.  
Forwarded to Senate, 523, 1113.  
Returned by Senate, 993, 1176.  
Senate action, passed 994.  
Enrolled, 1085.  
Signed by Speaker, 1111.  
Forwarded to Governor, 1200.

**House Bill No. 220**—(Reps. Hovey and Olson of Barnes)

House Bill No. 220. A Bill for an Act to Amend and Re-enact Section 7-0414 and Section 7-0417 of the North Dakota Revised Code of 1943 Pertaining to Advances by Building and Loan Associations and Repayment of the Same.

Introduction, first reading, 308.  
Referred to Committee on Judiciary.  
Reported back, 598.  
Second reading, 637, 1072.  
Passed, 637, 1072.  
Other action, 1070, 1073.  
Forwarded to Senate, 675, 1189.  
Returned by Senate, 1068.  
Senate action, amended, 1068.  
Enrolled, 1178.  
Signed by Speaker, 1186.  
Forwarded to Governor, 1200.

**House Bill No. 221—(Committee on Public Welfare, by request)**

House Bill No. 221. A Bill for an Act Relating to Boarding Homes for the Aged and Infirm; to Define "Boarding Home for the Aged and Infirm"; to Provide for the Licensing and Regulating of Such Homes by the Public Welfare Board of North Dakota; to Provide for Establishing Such Rules as May Be Necessary to Carry Out the Provisions of This Act; to Provide for a Prescribed Record to Be Kept, According to the Prescribed Form and Manner, by the Owner or Manager of Such Home; Providing Upon Request for Inspection of Premises and Report by the State Department of Health and/or State Fire Marshal; Making It the Duty of the Board to Give Information Concerning Minimum Requirements and Concerning Need for Such Homes in Any Given Community; and Providing for a Penalty.

Introduction, first reading, 308.  
 Referred to Committee on Public Welfare, 309.  
 Reported back, 659.  
 Second reading, 694.  
 Passed, 694.  
 Forwarded to Senate, 707, 999.  
 Returned by Senate, 930, 1094.  
 Senate action, passed, 930.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Governor, 1104.

**House Bill No. 222—(Reps. Hegge and Falconer)**

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 39-0429 and Section 39-0431 of the North Dakota Revised Code of 1943, Relating to the Determination of the Truck-Mile Tax; Providing for an Exception; Imposing Fees in Lieu of Truck-Mile Tax; and Providing for Disposition Thereof.

Introduction, first reading, 309.  
 Referred to Committee on Highways and Bridges.  
 Reported back, 529, 646.  
 Amended, 529, 646.  
 Re-referred to Committee on Highways and Bridges, 597.  
 General Orders, 672.  
 Engrossed, 696.  
 Second reading, 699.  
 Passed, 699.  
 Other action, 1155, 1156.  
 Forwarded to Senate, 707, 1058, 1194.  
 Returned by Senate, 965, 1062, 1202.  
 House asks Senate to request return, 1058.  
 Senate action, passed, 965; amended, 1062.  
 Enrolled, 1192.  
 Signed by Speaker, 1192.  
 Forwarded to Governor, 1204.

**House Bill No. 223—(Reps. Hegge and Falconer)**

House Bill No. 223. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 5 of Section 49-1808 of the Revised Code of North Dakota for 1943, Pertaining to the Regulation of Common Motor Carriers by the Public Service Commission.

Introduction, first reading, 309.  
 Referred to Committee on Highways and Bridges.  
 Reported back, 529, 646.  
 Amended, 529, 646.  
 Engrossed, 544, 696.  
 Second reading, 569, 700.  
 Re-referred to Committee on Highways and Bridges, 583.  
 General Orders, 673.  
 Passed, 700.  
 Forwarded to Senate, 707, 1184.  
 Returned by Senate, 1035.  
 Senate action, passed, 1035.  
 Enrolled, 1157.  
 Signed by Speaker, 1183.  
 Forwarded to Governor, 1199.

**House Bill No. 224**—(Reps. Haugland, Maher, Gainor and Schnell)

House Bill No. 224. A Bill for an Act to Improve Relationship Between Landlord and Tenant by Providing for Payment to Tenants for Unexhausted Farm Improvements and for Payment to the Landlord for Abuse or Misuse of Farm Land and Improvements.

Introduction, first reading, 309.  
 Referred to Committee on Agriculture.  
 Reported back divided, 593.  
 Indefinitely postponed, 594.

**House Bill No. 225**—(Reps. McInnes, Maher, Sandness and Schmalenberger)

House Bill No. 225. A Bill for an Act Relating to the Termination of Farm Leases and Providing for Notice of Termination.

Introduction, first reading, 309.  
 Referred to Committee on Agriculture.  
 Reported back, 598.  
 Indefinitely postponed, 598.

**House Bill No. 226**—(Reps. Falconer and Crockett)

House Bill No. 226. A Bill for an Act to Amend and Re-enact Section 57-3703 of North Dakota Revised Code of 1943, (Volume 5) Relating to Gross Estate of Nonresident Decedent.

Introduction, first reading, 309.  
 Referred to Committee on Judiciary.  
 Re-referred, 423.  
 Reported back, 541.  
 Indefinitely postponed, 541.

**House Bill No. 227**—(Reps. Schimke, Larson, Fraser, Anderson, Mortenson and Schwartz)

House Bill No. 227. A Bill for an Act Amending and Re-enacting Sections 26-0401, 26-0102, 26-0402, 26-0404, 26-2414 and 26-2421 of the North Dakota Revised Code of 1943; Providing for the Administration of the State Fire and Tornado Fund, Property to Be Insured Thereunder, Replacement of

Policies, New Construction in Insurance Rates; Classification; Repealing Acts in Conflict and Declaring an Emergency.

Introduction, first reading, 309.  
 Referred to Committee on Insurance.  
 Reported back, 663.  
 Amended, 663.  
 General Orders, 705.  
 Indefinitely postponed, 705.

**House Bill No. 228**—(Reps. Halvorson, Bolmeier, Dalzell, Devlin and Monson)

House Bill No. 228. A Bill for an Act Authorizing the County Commissioners, in an Emergency, to Destroy Noxious Weeds on Private Property at the Expense of the County; Declaring an Emergency.

Introduction, first reading, 310.  
 Referred to Committee on Counties.  
 Reported back, 536.  
 Second reading, 578, 1090.  
 Passed, 578, 1090.  
 Other action, 996, 1031, 1089, 1102.  
 Conference Committee, 996, 1010.  
 Forwarded to Senate, 592, 1184.  
 Returned by Senate, 975.  
 Senate action, amended, 975.  
 Enrolled, 1157.  
 Signed by Speaker, 1183.  
 Forwarded to Governor, 1199.

**House Bill No. 229**—(Reps. Schimke, Larson, Fraser, Anderson, Mortenson and Schwartz)

House Bill No. 229. A Bill for an Act Defining Liquid Petroleum Gasses; Providing for the Regulations; Storage and Handling of Liquid Petroleum Gases; Providing a Penalty; and Declaring an Emergency.

Introduction, first reading, 310.  
 Referred to Committee on State Affairs.  
 Reported back, 539.  
 Amended, 539, 610.  
 Engrossed, 602.  
 Second reading, 610.  
 Passed, 610.  
 Forwarded to Senate, 632.  
 Returned by Senate, 811.  
 Senate action, indefinitely postponed, 811.

**House Bill No. 230**—(Reps. Crockett, Fitch, Schimke and Larson)

House Bill No. 230. A Bill for an Act Providing for the Use of Electric Lamps or Reflectors on the Four Corners of All Motor Vehicles More Than Six Feet in Width, While Such Motor Vehicles Are in Use or Parked Upon or Adjacent to the Highway, from One-Half Hour Before Sunset to One-Half Hour Before Sunrise.

Introduction, first reading, 310.  
 Referred to Committee on Ways and Means.  
 Withdrawn, 622.

**House Bill No. 231**—(Reps. Schimke, Larson, Fraser, Anderson, Mortenson and Schwartz)

House Bill No. 231. A Bill for an Act for Repeal of Sections 26-2422, 26-2423, 26-2424, 26-2425 of the North Dakota Revised Code of 1943.

Introduction, first reading, 310.

Referred to Committee on Insurance.

Reported back divided, 660.

Indefinitely postponed, 660.

**House Bill No. 232**—(Reps. Schimke, Larson, Fraser, Anderson, Mortenson and Schwartz)

House Bill No. 232. 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; Appropriating \$175,000.00 for Administration of This Act; Administration of Fund and Repealing Acts in Conflict.

Introduction, first reading, 310.

Referred to Committee on Insurance.

Reported back, 664.

Indefinitely postponed, 664.

**House Bill No. 233**—(Reps. Graham and Schimke, by request)

House Bill No. 233. A Bill for an Act to Prohibit the Collection of Float Charges for the Payment or Collection of Checks in the Ordinary Course of Business by National Banks.

Introduction, first reading, 310.

Referred to Committee on Banks and Banking.

Reported back, 600.

Indefinitely postponed, 600.

**House Bill No. 234**—(Committee on Appropriations)

House Bill No. 234. A Bill for an Act Amending and Re-enacting Section 4-1707 of the North Dakota Revised Code of 1943, Fixing the Annual Salaries of the Dairy Commissioner and the Assistant Dairy Commissioners; Section 6-0116 of the North Dakota Revised Code of 1943, Fixing the Salaries of the State Examiner's Deputies; Section 12-5502 of the North Dakota Revised Code of 1943, Fixing the Compensation of Members of Board of Pardons; Section 15-1110 of the North Dakota Revised Code of 1943, Fixing the Compensation of the State Geologist and Deputy State Geologist; Section 18-0101 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy Fire Marshal; Section 20-0203 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Game and Fish Commissioner; Section 20-0207 of the North Dakota Revised Code of 1943, Fixing the Salary of the Deputy State Game and Fish Commissioner; Section 20-0209 of the North Dakota Revised Code of 1943, Fixing the Salary of the Chief Game Warden; Section 20-0212 of the North Dakota Revised Code of 1943, Fixing the Salary of the District Deputy Game Wardens; Section 24-0206 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Highway Commissioner; Section 25-0205 of the North Dakota Revised Code of 1943, Fixing the Salaries of the Su-



perintendent and Assistant Superintendent of the State Hospital for the Insane; Section 27-0303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Clerk of the Supreme Court; Section 36-0104 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of State Livestock Sanitary Board; Section 36-0203 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Board of Veterinary Medical Examiners; Section 37-0301 of the North Dakota Revised Code of 1943, Fixing the Salary of the Adjutant General; Section 37-1303 of the North Dakota Revised Code of 1943, Fixing the Salary of the Veterans Service Commissioner; Section 38-0304 of the North Dakota Revised Code of 1943, Fixing the Salary of the State Coal Mine Inspector; Section 39-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Registrar of Motor Vehicles; Section 54-1503 of the North Dakota Revised Code of 1943, Fixing the Compensation of the Members of the State Budget Board; Section 54-2104 of the North Dakota Revised Code of 1943, Fixing the Salary of the Appointive Members of the Board of Administration; Section 54-2106 of the North Dakota Revised Code of 1943, Fixing the Salary of the Secretary of the Board of Administration; Section 65-0202 of the North Dakota Revised Code of 1943, Fixing the Salary of the Workmen's Compensation Commissioners; Repealing All Acts in Conflict Herewith.

Introduction, first reading, 310.  
 Referred to Committee on Appropriations.  
 Reported back, 644.  
 Amended, 644.  
 General Orders, 671.  
 Engrossed, 702.  
 Second reading, 714.  
 Passed, 715.  
 Other action, 1172.  
 Senate requests return, 1130.  
 Forwarded to Senate, 731, 1130, 1194.  
 Returned by Senate, 1047, 1141, 1202.  
 Senate action, amended, 1048, 1142.  
 Enrolled, 1192.  
 Signed by Speaker, 1192.  
 Forwarded to Governor, 1204.

**House Bill No. 235—(Reps. Symington and Dalzell)**

House Bill No. 235. A Bill for an Act to Provide for the Payment of Tuition by School Districts Into the State Equalization Fund for Resident Students Attending High School in Other School Districts; Providing for the Necessary Levy Therefor.

Introduction, first reading, 311.  
 Referred to Committee on Education.  
 Reported back, 619.  
 Indefinitely postponed, 619.

**House Bill No. 236—(Rep. Johnson of Richland)**

House Bill No. 236. A Bill for an Act to Amend and Re-enact Section 9-0806 of the North Dakota Revised Code of

**1943 Relating to Unlawful and Void Contracts in Restraint of Professions and Business, and Exceptions.**

Introduction, first reading, 311.  
 Referred to Committee on Judiciary.  
 Reported back, 659.  
 Indefinitely postponed, 659.  
 To General Orders, 659.  
 General Orders, 704.  
 Engrossed, 759.  
 Second reading, 726.  
 Killed, 726.

**House Bill No. 237—(Rep. Sailer)**

House Bill No. 237. A Bill for an Act Amending Section 57-0224 and Section 57-0225 of the North Dakota Revised Code of 1943, Relating to the Listing and Procedure in Assessment of Coal and Minerals.

Introduction, first reading, 312.  
 Referred to Committee on Tax and Tax Laws.  
 Withdrawn, 583.

**House Bill No. 238—(Reps. Graham and Johnson of Richland)**

House Bill No. 238. A Bill for an Act Amending and Re-enacting Subsection 3 of Section 30-2004 of the North Dakota Revised Code of 1943 Relating to Compensation Paid Executors or Administrators.

Introduction, first reading, 312.  
 Referred to Committee on Judiciary.  
 Reported back, 527.  
 Amended, 528.  
 Engrossed, 544.  
 Second reading, 566.  
 Passed, 566.  
 Forwarded to Senate, 592.  
 Returned by Senate, 888.  
 Senate action, indefinitely postponed, 888.

**House Bill No. 239—(Reps. Haugland, Wolf of Morton, Olson of Barnes and Lillehaugen)**

House Bill No. 239. A Bill for an Act to Provide Immunity from Liability, in the Absence of Negligent Construction or Operation, for Inductive Interference Caused in Communication Circuits by Electric Facilities; to Repeal All Acts and Parts of Acts in Conflict Herewith; and to Declare an Emergency.

Introduction, first reading, 312.  
 Referred to Committee on Judiciary.  
 Reported back divided, 526.  
 Second reading, 572.  
 Passed, 572.  
 Other action, 589.  
 Forwarded to Senate, 592, 1184.  
 Returned by Senate, 1048.  
 Senate action, passed, 1048.  
 Enrolled, 1157.  
 Signed by Speaker, 1183.  
 Forwarded to Governor, 1199.

**House Bill No. 240—(Rep. Moe)**

House Bill No. 240. A Bill for an Act Prohibiting the Use of Misleading Signs and Advertising of Places Where Beer and Intoxicating Liquors Are Sold and the Maintenance of Such Places in Basement Locations; Providing Penalty Therefor.

Introduction, first reading, 312.  
 Referred to Committee on Temperance.  
 Reported back, 534.  
 Indefinitely postponed, 534.

**House Bill No. 241—(Rep. Blair)**

House Bill No. 241. A Bill for an Act Prohibiting the Installation of the Check-off System in Labor Unions, Co-operative Organizations, Corporations or Associations, and Providing a Penalty for the Violation Thereof.

Introduction, first reading, 312.  
 Referred to Committee on Ways and Means.  
 Reported back, 655.  
 Indefinitely postponed, 655.

**House Bill No. 242—(Reps. Haugen and Klefstad)**

House Bill No. 242. A Bill for an Act Providing for a Tax Levy for a Construction Fund in Villages; Providing for an Election to Authorize the Levy of Said Tax; Authorizing the Creation by a Village of a Construction Fund; Appropriation to Said Fund from the Budget and Limitation Special Allowance in the Budget; Providing for the Disposition of Said Construction Fund; Fixing a Penalty for Unlawful Withdrawal of Such Construction Fund; and Declaring an Emergency.

Introduction, first reading, 312.  
 Referred to Committee on Tax and Tax Laws.  
 Reported back, 536.  
 Amended, 536.  
 Engrossed, 602.  
 Second reading, 626.  
 Passed, 626.  
 Forwarded to Senate, 675, 883.  
 Returned by Senate, 810, 915.  
 Senate action, passed, 810.  
 Enrolled, 873.  
 Signed by Speaker, 877.  
 Forwarded to Governor, 928.  
 Approved by Governor, 1009.

**House Bill No. 243—(Reps. Graham and Schimke, by request)**

House Bill No. 243. A Bill for an Act to Provide for the Clearing at Par of All Checks Drawn on the Bank of North Dakota, or Any Other Bank, Trust Company or Financial Institution Organized Under the Laws of the State of North Dakota; Providing for Penalties and Declaring an Emergency.

Introduction, first reading, 312.  
 Referred to Committee on Banks and Banking.  
 Reported back, 600.  
 Indefinitely postponed, 600.

**House Bill No. 244—(Committee on Livestock)**

House Bill No. 244. A Bill for an Act Making an Appropriation for the Construction and Equipping of a Veterinary Diagnostic Laboratory to Be Located at Bismarck, North Dakota, Such Appropriation to Be Made from All the Prior Funds of the Livestock Sanitary Board, Including Bangs and TB. Miscellaneous Fund, for the 1943-1945 biennial period.

Introduction, first reading, 313.

Referred to Committee on Livestock.

Reported back, 542, 597.

Re-referred to Committee on Appropriations, 547.

Indefinitely postponed, 597.

**House Bill No. 245—(Committee on Highways and Bridges)**

House Bill No. 245. A Bill for an Act Providing That During the Years of 1946 and 1947 Fees for the Registration and Re-registration of All Motor Vehicles Shall Be the Amount Paid for the Year of 1945, and Suspending the Reduction Provisions in Sections 39-0422, 39-0424, and 39-0453 of the Revised Code of North Dakota for 1943.

Introduction, first reading, 313.

Referred to Committee on Highways and Bridges.

Withdrawn, 519.

**House Bill No. 246—(Reps. McInnes and Schnell)**

House Bill No. 246. A Bill for an Act to Create a County Advisory Council; Providing the Method of Selection of Members; the Organization and Duties of the Council; Providing That the State Extension Service of the North Dakota Agricultural College Shall Recommend Candidates for Appointment as County Agents; Authorizing the County Advisory Council to Recommend Removal of County Agent and Procedure Therefor; Providing Terms of Office of Members of the Council and Their Expenses; Requiring Council to Submit to Board of County Commissioners a Budget Recommending Necessary Items of Expenditure for Ensuing Years to Carry Out the Farm and Rural Home Program, Including 4-H Club and Other Youth Work, and Expense of Council, Including Statement of Fund Available from State and Federal Sources; Requiring Monthly Report of Progress of County Agricultural Extension Work by County Agent; and Amending and Re-enacting Section 4-0804 of the Revised Code of 1943; and Repealing All Acts in Conflict Herewith.

Introduction, first reading, 313.

Referred to Committee on Agriculture.

Reported back, 595.

Indefinitely postponed. 595.

**House Bill No. 247—(Committee on Appropriations)**

House Bill No. 247. A Bill for an Act to Provide for the Transfer of a Part of the Unappropriated Surplus Now in the "Auto Transportation Fund" to the Credit of the "Highway Operating Fund" in the State Treasury, and Declaring an Emergency.

Introduction, first reading, 313.

Referred to Committee on Appropriations.

Reported back, 535.

Second reading, 576.  
 Passed, 576.  
 Forwarded to Senate, 592, 1082.  
 Returned by Senate, 965, 1176.  
 Senate action, passed, 965.  
 Enrolled, 1058.  
 Forwarded to Governor, 1200.  
 Signed by Speaker, 1075.

**House Bill No. 248—(Reps. Dalzell, Levin and Collette)**

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 4-1005 of the North Dakota Revised Code of 1943 Relative to Labeling, Branding or Tagging Potatoes Being Transported or Offered for Sale or Consignment.

Introduction, first reading, 313.  
 Referred to Committee on Agriculture, 314.  
 Reported back, 535.  
 Second reading, 573.  
 Passed, 574.  
 Forwarded to Senate, 592, 883.  
 Returned by Senate, 810, 915.  
 Senate action, passed, 810.  
 Enrolled, 873.  
 Signed by Speaker, 877.  
 Forwarded to Governor, 928.  
 Approved by Governor, 1009.

**House Bill No. 249—(Reps. Schwartz, Hegge, Fraser, Larson and Schimke)**

House Bill No. 249. A Bill for an Act to Amend and Re-enact Section 16-0103 of the North Dakota Revised Codes of 1943 Relating to the Qualifications of Electors.

Introduction, first reading, 314.  
 Referred to Committee on Election and Election Privileges.  
 Reported back, 542.  
 Indefinitely postponed, 542.

**House Bill No. 250—(Reps. Schwartz, Fraser, Hegge, Schimke and Larson)**

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 12-4301 of the Revised Codes of North Dakota for 1943 Relating to the Sale of Cigarettes, Tobacco or Snuff to Minors; and Declaring an Emergency.

Introduction, first reading, 314.  
 Referred to Committee on Temperance.  
 Reported back, 535.  
 Second reading, 577.  
 Indefinitely postponed, 577.

**House Bill No. 251—(Rep. Johnson of Cass)**

House Bill No. 251. A Bill for an Act to Amend and Re-enact Section 54-1304 of the North Dakota Revised Code of 1943, Relating to the Examination and Audit of State Departments and Institutions of Higher Education by the Board of Auditors.

Introduction, first reading, 314.  
 Referred to Committee on State Affairs.  
 Withdrawn, 472.

**House Bill No. 252—(Committee on Highways and Bridges)**

House Bill No. 252. A Bill for an Act Making It Unlawful to Drive a Vehicle on a Highway at a Speed in Excess of 45 Miles an Hour, Providing a Penalty Therefor and Declaring an Emergency.

Introduction, first reading, 314.  
 Referred to Committee on Highways and Bridges.  
 Reported back, 536.  
 Indefinitely postponed, 536.

**House Bill No. 253—(Reps. Falconer and Westby)**

House Bill No. 253. A Bill for an Act Amending and Re-enacting Section 34-0108, of the North Dakota Revised Code of 1943, Relating to Limitation of Hours of Labor of Employees of the State, Counties, and Cities; Exception.

Introduction, first reading, 314.  
 Referred to Committee on Public Health.  
 Re-referred to Committee on Ways and Means, 460.  
 Reported back, 657.  
 Amended, 657.  
 Engrossed, 696.  
 Second reading, 696.  
 Indefinitely postponed, 696.

**House Bill No. 254—(Reps. Schimke, Fraser, Lindberg, Lillehaugen, Anderson, Forseth and Schnell)**

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 26-2202, 26-2203, 26-2210, 26-2212, 26-2211, 26-2213, 26-2214, 26-2216, 26-2221, 26-2223, 26-2224, and 26-2254 of the North Dakota Revised Code for 1943 Relating to the Operations of the State Hail Insurance Department; Defining the Duties of the Commissioner of Insurance; the Crops to Be Insured; Effective Date of Policies; Duties of Assessors, Inspectors, Adjusters, County Auditors; and Their Compensation; Indemnity to Be Paid; Effective Time of Insurance; Securities; Penalties for Violation; Special Policies; Repealing Acts in Conflict; and Declaring an Emergency.

Introduction, first reading, 314.  
 Referred to Committee on Insurance.  
 Reported back, 664.  
 Amended, 664.  
 Engrossed, 696.  
 Indefinitely postponed, 696.  
 Reconsidered, 709.  
 Second reading, 721.  
 Passed, 722.  
 Forwarded to Senate, 732, 1026.  
 Returned by Senate, 993, 1034.  
 Senate action, passed, 994.  
 Senate requests return, 1024.  
 Indefinitely postponed, 1034.

**House Bill No. 255—(Rep. Luick)**

House Bill No. 255. A Bill for an Act to Amend and Re-enact Section 24-0703 of the North Dakota Revised Code of 1943, Making Section Lines Public Roads.

Introduction, first reading, 315.

Referred to Committee on Highways and Bridges.

Reported back, 537.

Indefinitely postponed, 537.

**House Bill No. 256—(Rep. Luick)**

House Bill No. 256. A Bill for an Act Imposing a Tax on Motor Fuel Otherwise Exempt from Taxation Under Section 57-4121 of the Revised Code of 1943; Providing for the Collection of Such Tax; and Allocating the Tax to the Townships for the Benefit of the Road and Bridge Funds; and Declaring an Emergency.

Introduction, first reading, 315.

Referred to Committee on Tax and Tax Laws.

Reported back, 536.

Indefinitely postponed, 536.

**House Bill No. 257—(Reps. Haag, Schmidt of Logan and Wolf of McIntosh)**

House Bill No. 257. A Bill for an Act to Provide for the Time for Renewing Contracts of Teachers, Principals and Superintendents in the Public Schools of the State of North Dakota, and Providing for a Penalty for Violation of Teacher's Contract.

Introduction, first reading, 315.

Referred to Committee on Education.

Reported back, 620.

Indefinitely postponed, 620.

**House Bill No. 258—(Reps. Devlin, Halvorson and Dalzell)**

House Bill No. 258. A Bill for an Act Providing for Cutting of Weeds and Grasses by Owners of Land Adjoining Regularly Traveled Township Highways as Designated by the Board of Township Supervisors in Organized Townships and the Board of County Commissioners in Unorganized Townships, Charging the Expense of Cutting Such Weeds to Adjoining Owners Failing to Cut Such Weeds, Excepting from the Provisions of This Act State and Federal Highways; Repealing All Laws and Parts of Laws in Conflict Herewith.

Introduction, first reading, 315.

Referred to Committee on Counties.

Reported back, 538.

Engrossed, 602.

Second reading, 579, 1160.

Passed, 580, 1160.

Other action, 1143, 1159, 1161, 1166.

Conference committees, 1144, 1150.

Forwarded to Senate, 592, 1195.

Returned by Senate, 1034, 1203.

Senate action, amended, 1035.

Enrolled, 1192.

Signed by Speaker, 1192.

Forwarded to Governor, 1204.

**House Bill No. 259—(Rep. Fitch)**

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 11-1010 of the North Dakota Revised Code of 1943 Fixing the Salary of County Officers in Counties Where the County Court Has Increased Jurisdiction and the County Has a Population Exceeding Forty Thousand; and Declaring an Emergency.

Introduction, first reading, 315.  
 Referred to Committee on Counties.  
 Reported back, 538, 596.  
 Second reading, 579, 628, 653.  
 Re-referred to Committee on Counties, 579.  
 Lost, 629.  
 Reconsidered, 652.  
 Passed, 653.  
 Forwarded to Senate, 666, 1113.  
 Returned by Senate, 1027, 1177.  
 Senate action, passed, 1027.  
 Enrolled, 1085.  
 Signed by Speaker, 1111.  
 Forwarded to Governor, 1200.

**House Bill No. 260—(Reps. Luick and Johnson of Richland)**

House Bill No. 260. A Bill for an Act to Amend and Re-enact Subsection 1 of Section 57-1506 of the North Dakota Revised Code of 1943, Relating to Limitations on County Tax Levies.

Introduction, first reading, 315.  
 Referred to Committee on Tax and Tax Laws.  
 Reported back, 537.  
 Amended, 537.  
 General Orders, 607.  
 Indefinitely postponed, 607.

**House Bill No. 261—(Rep. Fleck, by request)**

House Bill No. 261. A Bill for an Act Amending and Re-enacting Section 43-0920 of the North Dakota Revised Code of 1943, Relating to Contracts for the Installation of Electrical Wiring and Installation of Electrical Equipment; Declaring an Emergency.

Introduction, first reading, 315.  
 Referred to Committee on Ways and Means.  
 Reported back, 657.  
 General Orders, 673.  
 Engrossed, 702.  
 Second reading, 719.  
 Passed, 719.  
 Forwarded to Senate, 732.  
 Returned by Senate, 888.  
 Indefinitely postponed, 888.

**House Bill No. 262—(Reps. Falconer, by request)**

House Bill No. 262. A Bill for an Act to Prevent Fraud and Deception in the Manufacture and Sale of Paint, Water Paint, Varnish, Flaxseed Oil and Linseed Oil, and Providing for the Registration and Labelling Thereof; and Repealing



All of Chapter 19-11 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Introduction, first reading, 316.

Referred to Committee on Ways and Means.

Reported back, 656.

Indefinitely postponed, 656.

**House Bill No. 263—(Rep. Crockett)**

House Bill No. 263. A Bill for an Act to Provide Revenue for the Enforcement of the Paint and Varnish Laws of This State; to Prevent Fraud and Deception in the Sale of Paints and Varnishes; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violation Thereof.

Introduction, first reading, 316.

Referred to Committee on Ways and Means.

Reported back, 656.

Indefinitely postponed, 656.

**House Bill No. 264—(Rep. Crockett)**

House Bill No. 264. A Bill for an Act to Provide Revenue for the Enforcement of the North Dakota Cosmetic Act; to Prevent Adulteration and Misbranding of Cosmetics; to Provide for Registration and Licensing Thereof; and to Provide Penalties for Violation Thereof.

Introduction, first reading, 316.

Referred to Committee on Ways and Means.

Reported back, 656.

Indefinitely postponed, 656.

**House Bill No. 265—(Reps. Fitch and Callahan)**

House Bill No. 265. A Bill for an Act to Amend and Re-enact Section 16-1718 of the North Dakota Revised Code of 1943 Relative to Duties of State Party Conventions.

Introduction, first reading, 316.

Referred to Committee on Ways and Means.

Reported back, 656.

Indefinitely postponed, 656.

**House Bill No. 266—(Rep. Johnson of Richland, by request)**

House Bill No. 266. A Bill for an Act Relating to the Accrediting and Standardization of High Schools and Minimum Enrollment Requirements.

Introduction, first reading, 325.

Referred to Committee on Education.

Reported back, 619.

Indefinitely postponed, 619.

**House Bill No. 267—(Reps. Collette, Halcrow, Levin, Saumur, McInnes, Ohnstad, Pyle, Thompson of Richland, Luick, Johnson of Richland, Klefstad, Severson, Wollitz, Lillehaugen and Gainor)**

House Bill No. 267. A Bill for an Act to Amend and Re-enact Section 61-2125 of the North Dakota Revised Code of 1943, as Amended by Chapter 15 of the Special Session Laws

of 1944, Relating to Letting of Contracts by Board of Drain Commissioners, and Declaring an Emergency.

Introduction, first reading, 326.

Referred to Committee on Drainage and Irrigation.

Reported back, 444.

Engrossed, 518.

Second reading, 490.

Passed, 490.

Forwarded to Senate, 523, 1113.

Returned by Senate, 965, 1177.

Senate action, passed, 965.

Enrolled, 1085.

Signed by Speaker, 1111.

Forwarded to Governor, 1200.

**House Bill No. 268**—(Reps. Bagge, Halcrow, Wollitz, Collette, Ohnstad, Thompson of Richland, Pyle, and Luick)

House Bill No. 268. A Bill for an Act to Amend and Re-enact Section 61-2202 of the North Dakota Revised Code of 1943 Providing for Voting at Township Meeting for Drainage Ditches; and Providing a Method of Payment.

Introduction, first reading, 326.

Referred to Committee on Drainage and Irrigation.

Reported back, 444.

Second reading, 491.

Passed, 491.

Forwarded to Senate, 523, 1184.

Returned by Senate, 965.

Senate action, passed, 965.

Enrolled, 1157.

Signed by Speaker, 1183.

Forwarded to Governor, 1199.

**House Bill No. 269**—(Reps. Collette, Halcrow, Levin, Saumur, McInnes, Ohnstad, Pyle, Thompson of Richland, Luick, Johnson of Richland, Klefstad, Severson, Wollitz, Stanley, Bagge, Lillehaugen and Gainor)

House Bill No. 269. A Bill for an Act Prohibiting the Construction or Reconstruction of Highways by the State Highway Department, County Commissioners, Township Supervisors or Their Contractors, Sub-contractors, Agents or Employees, Unless the Ditches of Such Highways Are so Designed as to Carry Off All Water Running Into Them, Without Permitting Such Water to Stand in Such Ditches or Flow Over Onto Adjacent Land and Fixing Liability for Failure to Comply with the Provisions of This Act.

Introduction, first reading, 326.

Referred to Committee on Highways and Bridges.

Reported back, 646.

Amended, 646.

General Orders, 673.

Engrossed, 696.

Second reading, 718.

Passed, 718.

Forwarded to Senate, 732, 999.

Returned by Senate, 965- 1094.

Senate action, passed, 965.

Enrolled, 987.  
Signed by Speaker, 988.  
Forwarded to Governor, 1104.

**House Bill No. 270**—(Reps. Collette, Halcrow, Levin, Saumur, McInnes, Ohnstad, Pyle, Thompson of Richland, Luick, Johnson of Richland, Klefstad, Severson and Wollitz)

House Bill No. 270. A Bill for an Act to Amend and Re-enact Section 61-2206 of the North Dakota Revised Code of 1943, Providing That a Township Ditch Costing More Than Three Thousand Dollars Shall Not Be Constructed.

Introduction, first reading, 326.  
Referred to Committee on Drainage and Irrigation.  
Reported back, 444.  
Second reading, 492.  
Passed, 492.  
Forwarded to Senate, 523, 1000.  
Returned by Senate, 965, 1094.  
Senate action, passed, 965.  
Enrolled, 987.  
Signed by Speaker, 988.  
Forwarded to Governor, 1104.

**House Bill No. 271**—(Reps. Johnson of Richland and Luick)

House Bill No. 271. A Bill for an Act to Amend and Re-enact Section 57-1520 of the North Dakota Revised Code of 1943 Regulating Tax Levy Limitations in Townships.

Introduction, first reading, 326.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 519.  
Indefinitely postponed, 519.

**House Bill No. 272**—(Rep. Allen of Grand Forks, by request)

House Bill No. 272. A Bill for an Act to Amend and Re-enact Section 50-0707 of the North Dakota Revised Code of 1943 Providing That Homestead of Applicant for Old Age Assistance Shall Not Be Encumbered.

Introduction, first reading, 326.  
Referred to Committee on Public Welfare.  
Withdrawn, 618.

**House Bill No. 273**—(Rep. Crockett)

House Bill No. 273. A Bill for an Act to Amend and Re-enact Section 47-1409 of the North Dakota Revised Code of 1943 Defining Usury, Maximum Contract Rate of Interest and Prohibiting Charging Interest on Interest Overdue.

Introduction, first reading, 326.  
Referred to Committee on Banks and Banking.  
Reported back, 542.  
Indefinitely postponed, 542.

**House Bill No. 274**—(Reps. Fitch and Blair)

House Bill No. 274. A Bill for an Act to Amend and Re-enact Section 48-0206 of the North Dakota Revised Code of 1943, Relating to Opening Bids, Award of Contract, Bond

Required and Preference for North Dakota Contractors in the Matter of the Construction of Public Buildings.

Introduction, first reading, 328.

Referred to Committee on State Affairs.

Withdrawn, 532.

**House Bill No. 275—(Committee on Delayed Bills)**

House Bill No. 275. A Bill for an Act to Repeal Chapter 20-15 of the North Dakota Revised Code of 1943, Pertaining to Bounties on Rattlesnakes; Providing for the Disposition of the Rattlesnake Tails in the Possession of the Board of Administration; and Providing for the Transfer of the Rattlesnake Bounty Fund to the General Fund.

Introduction, first reading, 376.

Referred to Committee on Appropriations.

Reported back, 535.

Second reading, 577.

Passed, 577.

Forwarded to Senate, 592, 1000.

Returned by Senate, 965, 1094.

Senate action, passed, 965.

Enrolled, 987.

Signed by Speaker, 988.

Forwarded to Governor, 1104.

**House Bill No. 276—(Committee on Delayed Bills)**

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 28-1208 North Dakota Revised Code of 1943, Volume 3, Relating to, Note of Issue. Contents. Notice of Trial, Order of Trial; and Declaring an Emergency.

Introduction, first reading, 447.

Referred to Committee on Judiciary.

Reported back, 598.

Amended, 636.

Engrossed, 655.

Second reading, 636.

Passed, 637.

Forwarded to Senate, 675, 1113.

Returned by Senate, 1035, 1177.

Senate action, passed, 1035.

Enrolled, 1085.

Signed by Speaker, 1111.

Forwarded to Governor, 1200.

**House Bill No. 277—(Committee on Delayed Bills)**

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 28-1502 of North Dakota Revised Code of 1943, Volume 3, Relating to Special Verdict; and Declaring an Emergency.

Introduction, first reading, 447.

Referred to Committee on Judiciary.

Reported back, 598.

Amended, 635.

Engrossed, 655.

Second reading, 635.

Passed, 636.

Forwarded to Senate, 675, 1113.

Returned by Senate, 1035, 1177.

Senate action, passed, 1035.  
 Enrolled, 1085.  
 Signed by Speaker, 1111.  
 Forwarded to Governor, 1200.

**House Bill No. 278—(Committee on Delayed Bills)**

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 28-1509 and Section 28-1510 of the North Dakota Revised Code of 1943 (Vol. 3), Relating to Directed Verdicts, and Judgment Notwithstanding Verdict in Civil Actions, in the District Court; and Declaring an Emergency.

Introduction, first reading, 447.  
 Referred to Committee on Judiciary.  
 Reported back, 598.  
 Amended, 634.  
 Engrossed, 655.  
 Second reading, 634.  
 Passed, 634.  
 Forwarded to Senate, 675, 1184.  
 Returned by Senate, 1035.  
 Senate action, passed, 1035.  
 Enrolled, 1157.  
 Signed by Speaker, 1183.  
 Forwarded to Governor, 1199.

**House Bill No. 279—(Committee on Delayed Bills)**

House Bill No. 279. A Bill for an Act to Amend and Re-enact Section 57-1531 of the North Dakota Revised Code of 1943 Relating to Determination of Levies; and Declaring an Emergency.

Introduction, first reading, 447.  
 Referred to Committee on Tax and Tax Laws.  
 Reported back, 598.  
 Amended, 598.  
 General Orders, 648.  
 Engrossed, 655.  
 Second reading, 687.  
 Killed, 687.

**House Bill No. 280—(Committee on Delayed Bills)**

House Bill No. 280. A Bill for an Act Providing for the Distribution and Destruction of the Session Laws of North Dakota of 1943 and Prior Years and for the Destruction of Unnecessary and Obsolete Records, Documents and Correspondence More Than Fifteen Years Old of Any State Department, Agency, Board, Bureau or Commission Having Offices in the Capitol Building or the Liberty Memorial Building, and Providing for Certain Exceptions.

Introduction, first reading, 458.  
 Referred to Committee on State Affairs.  
 Reported back, 535.  
 Second reading, 575.  
 Passed, 575.  
 Forwarded to Senate, 592, 786.  
 Returned by Senate, 755, 820.  
 Senate action, 755.  
 Enrolled, 776.

Signed by Speaker, 777.  
 Forwarded to Governor, 837.  
 Approved by Governor, 938.

**House Bill No. 281—(Committee on Delayed Bills)**

House Bill No. 281. A Bill for an Act Amending and Re-enacting Section 57-4123 of the North Dakota Revised Code of 1943, Relating to License Fees for Motor Fuel Dealers.

Introduction, first reading, 498.  
 Referred to Committee on State Affairs.  
 Reported back, 599.  
 Second reading, 638.  
 Passed, 638.  
 Forwarded to Senate, 675, 883.  
 Returned by Senate, 810, 915.  
 Senate action, passed, 810.  
 Enrolled, 873.  
 Signed by Speaker, 877.  
 Forwarded to Governor, 928.  
 Approved by Governor, 1009.

**House Bill No. 282—(Reps. Johnson of Cass, Bubel and Stanley)**

House Bill No. 282. A Bill for an Act Making an Appropriation in the Sum of Eleven Thousand Dollars (\$11,000.00), or So Much Thereof as May Be Necessary, to the Board of Administration for the Purchase of Furniture for Legislative Committee Rooms in the State Capitol Building.

Introduction, first reading, 498.  
 Referred to Committee on Appropriations.  
 Reported back, 597.  
 Second reading, 633.  
 Passed, 633.  
 Forwarded to Senate, 675.  
 Returned by Senate, 811.  
 Senate action, indefinitely postponed, 811.

**House Bill No. 283—(Committee on Appropriations, approved by Delayed Bills Committee)**

House Bill No. 283. A Bill for an Act Making an Additional Appropriation for Expenses of the Twenty-ninth Legislative Assembly, and Declaring an Emergency.

Introduction, first reading, 667.  
 Referred to Committee on Appropriations.  
 Reported back, 674.  
 Second reading, 695, 975.  
 Passed, 695, 975.  
 Other action, 975, 1011.  
 Forwarded to Senate, 707, 1113.  
 Returned by Senate, 964, 1123.  
 Senate action, amended, 964.  
 Enrolled, 1086.  
 Signed by Speaker, 1111.  
 Forwarded to Governor, 1161.

**House Bill No. 284—(Committee on Delayed Bills)**

House Bill No. 284. A Bill for an Act to Cancel the Licenses

of Insurance Companies That Have Been Engaged in Questionable Practices and Transactions in Violation of the Laws of This State; and Against the Best Interests of the People of North Dakota; Providing Penalty; and Declaring an Emergency.

Introduction, first reading, 708.  
Referred to Committee of the Whole.  
General Orders, 709.  
Amended, 709.  
Engrossed, 739.

**House Bill No. 285—(Committee on Delayed Bills)**

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 15-3905 of the North Dakota Revised Code of 1943, Relating to Compensation of Secretary of Teachers Insurance and Retirement Fund.

Introduction, first reading, 720.  
Referred to Committee on Appropriations.  
Second reading, 773.  
Passed, 773.  
Forwarded to Senate, 775, 1113.  
Returned by Senate, 993, 1177.  
Senate action, passed, 994.  
Enrolled, 1086.  
Signed by Speaker, 1111.  
Forwarded to Governor, 1200.

# HOUSE CONCURRENT RESOLUTIONS

## **House Concurrent Resolution "A"—(Reps. Ostgulen, Hofstrand, Langley and Leet)**

Introduction, first reading, 117.  
Referred to Committee on Agriculture.  
Reported back, 212.  
Forwarded to Senate, 227, 317.  
Returned by Senate, 290, 336.  
Enrolled, 301.  
Signed by Speaker, 316.  
Forwarded to Secretary of State, 342.

## **House Concurrent Resolution "B"—(Rep. Graham, by request)**

Introduction, first reading, 120.  
Referred to Committee on Insurance.  
Reported back, 190.  
Indefinitely postponed, 191.

## **House Concurrent Resolution "C"—(Reps. Bymers, Esterby, Haugland, Forseth, Haugen, Monson, Levin, Halvorson, Sandness, Seibel, Fleck, Stair, Fraser, Schnell, Drovdal, Stormon, Leet and Hofstrand)**

House Concurrent Resolution "C." Memorializing Congress to Create a Missouri Valley Authority for the Unified Development of the Water and Allied Resources of the Missouri River Basin and Its Tributaries to Their Greatest Potentialities.

Introduction, first reading, 131.  
Referred to Committee on Drainage and Irrigation.  
Reported back divided, 533.  
Indefinitely postponed, 533.

## **House Concurrent Resolution "D"—(Reps. Haugen, Schwartz, Moe and Skaar)**

Introduction, first reading, 174.  
Adopted, 174.  
Forwarded to Senate, 183, 883.  
Returned by Senate, 810, 914.  
Senate action, 810.  
Enrolled, 873.  
Signed by Speaker, 877.  
Forwarded to Secretary of State, 928.

## **House Concurrent Resolution "E"—(Reps. Haag, Schmidt of Logan and Wolf of McIntosh)**

House Concurrent Resolution "E." A Concurrent Resolution Memorializing Congress and the President to Enact Legislation Providing for Adequate Automobile, Tractor, and Truck Tires for the Farming Industry.

Introduction, first reading, 174.  
Referred to Committee on Agriculture, 175, 180.  
Adopted, 207.  
Forwarded to Senate, 212, 317.



Returned by Senate, 290, 336.  
 Enrolled, 301.  
 Signed by Speaker, 316.  
 Forwarded to Secretary of State, 342.

**House Concurrent Resolution "F"—(Committee on School and Public Lands)**

Introduction, first reading, 178.  
 Adopted, 179.  
 Forwarded to Senate, 190.  
 Returned by Senate, 975.  
 Senate action, indefinitely postponed, 975.

**House Concurrent Resolution "G"—(Rep. Maher)**

House Concurrent Resolution "G". A Concurrent Resolution Providing for the Amendment of Section 170 of the Constitution of the State of North Dakota.

Introduction, first reading, 238.  
 Referred to Committee on Counties.  
 Reported back, 542.  
 Second reading, 616.  
 Adopted, 616.  
 Forwarded to Senate, 632, 1184.  
 Returned by Senate, 1035.  
 Senate action, passed, 1035.  
 Enrolled, 1157.  
 Signed by Speaker, 1183.  
 Forwarded to Governor, 1199.

**House Concurrent Resolution "H"—(Reps. Fitch, Sailer, Crockett and Schimke)**

House Concurrent Resolution "H." A Concurrent Resolution Relating to an Increase in Pay for House and Senate Legislative Employees.

Introduction, first reading, 266.  
 Referred to Committee on Ways and Means.  
 Reported back, 443.  
 Second reading, 555, 966.  
 Adopted, 555, 966.  
 Other action, 965, 1011.  
 Forwarded to Senate, 558, 1000.  
 Returned by Senate, 964, 1092.  
 Senate action, amended, 964.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Secretary of State, 1128.

**House Concurrent Resolution "I"—(Reps. Forseth and Esterby)**

House Concurrent Resolution "I." That the Following Proposed Amendment to the Constitution of the State of North Dakota Is Agreed to and the Same Be Submitted to the Qualified Voters of the State for Approval or Rejection, in Accordance with the Provisions of Section 202 of the Constitution of the State of North Dakota, as amended.

Introduction, first reading, 266.

Referred to Committee on School and Public Lands.  
 Reported back, 375.  
 Re-referred to Committee on School and Public Lands, 375.  
 Withdrawn, 532.

**House Concurrent Resolution "J"—(Reps. Forseth and Esterby)**

House Concurrent Resolution "J." Proposed Amendment to the Constitution of the State of North Dakota Regarding the Provisions of Section 202 of the Constitution of the State of North Dakota as Amended, Relating to Creation of Permanent Equalization Fund.

Introduction, first reading, 282.  
 Referred to Committee on Education.  
 Reported back, 619.  
 Second reading, 678.  
 Adopted, 678.  
 Forwarded to Senate, 686.  
 Returned by Senate, 1024.  
 Senate action, indefinitely postponed, 1024.

**House Concurrent Resolution "K"—(Reps. Forseth and Esterby)**

House Concurrent Resolution "K." Regarding Service Performed by the Farm Security Administration, in the Rehabilitation of Farmers Upon the Soil.

Introduction, first reading, 282.  
 Referred to Committee on Agriculture.  
 Reported back, 533.  
 Second reading, 610.  
 Adopted, 610.  
 Forwarded to Senate, 632, 883.  
 Returned by Senate, 810, 914.  
 Senate action, passed, 810.  
 Enrolled, 873.  
 Signed by Speaker, 877.  
 Forwarded to Secretary of State, 928.

**House Concurrent Resolution "L"—(Reps. Forseth and Esterby)**

House Concurrent Resolution "L." Proposed Amendment to the Constitution of the State of North Dakota, Relative to Provisions of Section 202 of the Constitution of the State of North Dakota, as Amended, Dealing with Issuance or Payment of Bonds.

Introduction, first reading, 282.  
 Referred to Committee on Public Debt.  
 Reported back, 541, 597.  
 Re-referred to Committee, 555.  
 To General Orders, 686.  
 General Orders, 705.  
 Engrossed, 739.  
 Second reading, 729.  
 Adopted, 730.  
 Forwarded to Senate, 732.  
 Senate action, indefinitely postponed, 1024.

**House Concurrent Resolution "M"—(Reps. Hegge, Mollet, Ostgulen, Leet, Schwartz and Moerke)**

House Concurrent Resolution "M." Memorializing the Congress of the United States to Enact Legislation Permitting the Cancellation of All Accrued Interest Charges on Outstanding Feed and Seed Loans.

Introduction, first reading, 291.  
 Referred to Committee on Federal Relations.  
 Reported back, 445.  
 Amended, 445.  
 General Orders, 521.  
 Engrossed, 544.  
 Second reading, 564, 904.  
 Adopted, 904.  
 Other action, 911.  
 Forwarded to Senate, 593, 1001.  
 Returned by Senate, 757, 1092.  
 Amended, 757.  
 Enrolled, 988.  
 Signed by Speaker, 988.  
 Forwarded to Secretary of State, 1129.

**House Concurrent Resolution "N"—(Reps. Graham and Johnson of Cass)**

House Concurrent Resolution "N." A Concurrent Resolution Memorializing the Congress of the United States to Propose an Amendment to the Constitution of the United States of America Limiting the Term of Office of a President of the United States to Not More Than Two Consecutive Terms.

Introduction, first reading, 292.  
 Referred to Committee on Federal Relations.  
 Reported back, 445.  
 Adopted, 445.  
 Forwarded to Senate, 475, 1184.  
 Returned by Senate, 1048.  
 Enrolled, 1157.  
 Signed by Speaker, 1183.  
 Forwarded to Secretary of State, 1200.

**House Concurrent Resolution "O"—(Reps. Graham, Bymers, Halcrow and Bolmeier)**

House Concurrent Resolution "O." A Concurrent Resolution Memorializing the Congress of the United States to Enact Legislation Placing the Entire Nation Upon Greenwich Time.

Introduction, first reading, 292.  
 Referred to Committee on Federal Relations.  
 Reported back, 445.  
 Adopted, 445.  
 Forwarded to Senate, 475, 1185.  
 Returned by Senate, 1048.  
 Enrolled, 1157.  
 Signed by Speaker, 1183.  
 Forwarded to Secretary of State, 1200.

**House Concurrent Resolution "P"—(Reps. Wolf of McIntosh and McInnes)**

House Concurrent Resolution "P." Authorizing Imprinting the Name of the Member of the Legislative Assembly and the Name of the Legislative Committee Upon the Distributed Copies of the North Dakota Revised Code of 1943, and as a Legislative Expense.

Introduction, first reading, 297.  
 Referred to Committee on Public Printing.  
 Reported back, 436.  
 Second reading, 503.  
 Adopted, 503.  
 Forwarded to Senate, 522, 1000.  
 Returned by Senate, 965, 1092.  
 Enrolled, 987.  
 Signed by Speaker, 988.  
 Forwarded to Secretary of State, 1129.

**House Concurrent Resolution "Q"—(Reps. Wolf of McIntosh and McInnes)**

House Concurrent Resolution "Q." Authorizing the Secretary of State to Supply North Dakota Revised Code of 1943, Free of Charge, to New Members of the 29th Legislative Assembly.

Introduction, first reading, 298.  
 Referred to Committee on Ways and Means.  
 Reported back, 404.  
 Second reading, 422.  
 Adopted, 422.  
 Forwarded to Senate, 441, 643.  
 Returned by Senate, 602, 661.  
 Enrolled, 633.  
 Signed by Speaker, 642.  
 Forwarded to Secretary of State, 676.

**House Concurrent Resolution "R"—(Rep. Blair)**

House Concurrent Resolution "R." A Concurrent Resolution Memorializing the President of the United States Not to Appoint Henry Wallace to Any Position of Public Trust.

Introduction, first reading, 327.  
 Referred to Committee on Federal Relations.  
 Reported back, 446.  
 Indefinitely postponed, 446.

**House Concurrent Resolution "S"—(Reps. Fitch and Severson)**

House Concurrent Resolution "S." A Concurrent Resolution Memorializing the Congress of the United States on the Postwar Military Establishment and the Status of the National Guard.

Introduction, first reading, 327.  
 Referred to Committee on Veterans and Military Affairs.  
 Reported back, 535.  
 • Second reading, 610.  
 • Adopted, 610.  
 Forwarded to Senate, 632, 1113.  
 Returned by Senate, 994, 1177.  
 Enrolled, 1086.

Signed by Speaker, 1111.  
Forwarded to Secretary of State, 1200.

**House Concurrent Resolution "U"**—(Reps. Fraser, Larson, Schimke, Schwartz and Hegge)

House Concurrent Resolution "U." A Concurrent Resolution Providing for the Amendment of Section 121 of the Constitution of North Dakota; Elective Franchise.

Introduction, first reading, 327.  
Referred to Committee on Election and Election Privileges.  
Reported back, 539.  
Indefinitely postponed, 539.

**House Concurrent Resolution "V"**—(Reps. Brady and Fitch)

Introduction, first reading, 420.  
Referred to Committee on Ways and Means.  
Reported back, 600.  
Second reading, 639.  
Adopted, 639.  
Forwarded to Senate, 675, 883.  
Returned by Senate, 810, 914.  
Enrolled, 874.  
Signed by Speaker, 877.  
Forwarded to Secretary of State, 928.

**House Concurrent Resolution "W"**—(Rep. Fleck, by request)

House Concurrent Resolution W. Requesting Adjustment of Values to Include Pay for Character Building Work of Home Women.

Introduction, first reading, 519.  
Indefinitely postponed, 519.

**House Concurrent Resolution "X"**—(Reps. Fitch, Halcrow, Lillehaugen and Fuglestad)

House Concurrent Resolution "X." A Concurrent Resolution Authorizing and Directing the Attorney General to Investigate the Roadhouse Situation.

Introduction, first reading, 760.  
Referred to Committee on Temperance.  
Reported back, 777.  
Second reading, 777.  
Adopted, 777.  
Forwarded to Senate, 789, 1185.  
Returned by Senate, 1035.  
Enrolled, 1157.  
Signed by Speaker, 1183.  
Forwarded to Secretary of State, 1200.

**House Concurrent Resolution "Y"**—(Reps. Luick, Fitch and Sandness)

House Concurrent Resolution "Y." A Concurrent Resolution Requesting the Office of Defense Transportation to Modify the Order Permitting the Removal of the Soo Line Passenger Trains 105 and 106 Operating Between Glenwood, Minnesota and Enderlin, North Dakota, and Passenger Trains 107 and 108 Operating Between Enderlin, North Dakota and Minot, North Dakota, Daily, Except Sundays, Effective March 1, 1945.

Introduction, first reading, 771.  
Second reading, 771.  
Adopted, 771.  
Forwarded to Senate, 775, 883.  
Returned by Senate, 808, 914.  
Enrolled, 874.  
Signed by Speaker, 877.  
Forwarded to Secretary of State, 928.

**House Concurrent Resolution "Z"—Committee on Ways and Means)**

House Concurrent Resolution "Z." A Concurrent Resolution Memorializing Congress, the President of the United States, and Chester Bowles, Administrator of The Office of Price Administration, to Permit the Sale of North Dakota Butter Within Ceiling Prices on the Basis of Its True Commercial Value, and to Cease Unjust Discrimination Against Butter Made in the State of North Dakota.

Introduction, first reading, 833.  
Adopted, 834.  
Forwarded to Senate, 879, 1185.  
Returned by Senate, 1101.  
Enrolled, 1157.  
Signed by Speaker, 1183.  
Forwarded to Secretary of State, 1200.

**House Concurrent Resolution "AA"—(Committee on Employment)**

Introduction, first reading, 942.  
Referred to Committee on Employment.  
Reported back, 992, 1087.  
Amended, 992, 1087.  
Action reconsidered, 1012.  
Re-referred to Committee on Employment, 1012.  
Second reading, 1102.  
Adopted, 1102.  
Forwarded to Senate, 1107, 1189.  
Returned by Senate, 1117.  
Enrolled, 1178.  
Signed by Speaker, 1186.  
Forwarded to Secretary of State, 1200.

**House Concurrent Resolution "BB"—(Joint Committee on Employment)**

Introduction, first reading, 943.  
Referred to Committee on Employment.  
Reported back, 992.  
Second reading, 1012.  
Adopted, 1012.  
Forwarded to Senate, 1030, 1184.  
Returned by Senate, 1101.  
Enrolled, 1157.  
Signed by Speaker, 1183.  
Forwarded to Secretary of State, 1200.

**House Concurrent Resolution "CC"—(Joint Committee on Employment)**

Introduction, first reading, 944.  
Referred to Committee on Employment.

Reported back, 992, 1087.  
 Amended, 992, 1087.  
 Re-referred to Committee on Employment, 1012.  
 Second reading, 1103.  
 Adopted, 1103.  
 Forwarded to Senate, 1118, 1189.  
 Returned by Senate, 1121.  
 Enrolled, 1178.  
 Signed by Speaker, 1186.  
 Forwarded to Secretary of State, 1200.

**House Concurrent Resolution "DD"—(Reps. Stormon and Forseth)**

Introduction, first reading, 945.  
 Adopted, 945, 1177.  
 Other action, 1177, 1178.  
 Forwarded to Senate, 1011, 1195.  
 Returned by Senate, 1062, 1203.  
 Senate action, amended, 1062.  
 Enrolled, 1192.  
 Signed by Speaker, 1192.  
 Forwarded to Secretary of State, 1203.

**House Concurrent Resolution "EE"—(Reps. Bymers, Callahan, Bagge, Ohnstad and Johnson of Cass)**

Introduction, first reading, 1048.  
 Second reading, 1049, 1149.  
 Adopted, 1049, 1149.  
 Other action, 1149, 1150.  
 Senate requests return, 1134.  
 Forwarded to Senate, 1058, 1134, 1189.  
 Returned by Senate, 1101, 1143.  
 Senate action, amended, 1143.  
 Enrolled, 1178.  
 Signed by Speaker, 1186.  
 Forwarded to Secretary of State, 1200.

**Joint Concurrent Resolution "FF"—(Joint Committee on Employment)**

Introduction, first reading, 1164.  
 Second reading, 1164.  
 Adopted, 1164.  
 Forwarded to Senate, 1165, 1196.  
 Returned by Senate, 1190, 1203.  
 Enrolled, 1192.  
 Signed by Speaker, 1192.  
 Forwarded to Secretary of State, 1203.

## HOUSE JOINT RESOLUTIONS

**House Joint Resolution No. 1—(Delayed Bills)**

Introduction, first reading, 667.  
 Amended, 668.  
 Engrossed, 696.  
 Adopted, 668.  
 Forwarded to Senate, 707, 883.

Returned by Senate, 810, 914.  
 Enrolled, 873.  
 Signed by Speaker, 877.  
 Forwarded to Secretary of State, 928.

**House Joint Resolution No. 2—**(Reps. Schnell, Schmalenberger and Sticka)  
 Introduction, first reading, 717.  
 Adopted, 718.  
 Forwarded to Senate, 718.  
 Returned by Senate, 1024.  
 Senate action, indefinitely postponed, 1024.

## MEMORIAL RESOLUTION

**Memorial Resolution**  
 Introduction, first reading, 1128.  
 Adopted, 1128.

**Moses Memorial Resolution**, 1128.

## ARTICLES OF IMPEACHMENT

**Articles of Impeachment**  
 Introduction, first reading, 1122.  
 Adopted, 1122.  
 Forwarded to Senate, 1124.

## HOUSE JOINT MEMORIAL RESOLUTION

**Joint Memorial Resolution—**(Committee on Joint Memorial Resolutions)  
 Introduction, first reading, 747.  
 Adopted, 747.  
 Enrolled, 1211.  
 Signed by Speaker, 1212.  
 Forwarded to Secretary of State, 1212.

## HOUSE MEMORIAL RESOLUTIONS

**House Memorial Resolution No. 1**  
 Introduction, first reading, 1179.  
 Adopted, 1183.  
 Enrolled, 1211.  
 Signed by Speaker, 1212.  
 Forwarded to Secretary of State, 1212.

**House Memorial Resolution No. 2**  
 Introduction, first reading, 1180.  
 Adopted, 1183.  
 Enrolled, 1211.  
 Signed by Speaker, 1212.  
 Forwarded to Secretary of State, 1212.



- House Memorial Resolution No. 3**  
 Introduction, first reading, 1180.  
 Adopted, 1183.  
 Enrolled, 1211.  
 Signed by Speaker, 1212.  
 Forwarded to Secretary of State, 1212.
- House Memorial Resolution No. 4**  
 Introduction, first reading, 1181.  
 Enrolled, 1211.  
 Signed by Speaker, 1212.  
 Forwarded to Secretary of State, 1212.
- House Memorial Resolution No. 5**  
 Introduction, first reading, 1182.  
 Adopted, 1183.  
 Enrolled, 1211.  
 Signed by Speaker, 1212.  
 Forwarded to Secretary of State, 1212.
- House Memorial Resolution No. 6**  
 Introduction, first reading, 1182.  
 Adopted, 1183.  
 Enrolled, 1211.  
 Signed by Speaker, 1212.  
 Forwarded to Secretary of State, 1212.

## HOUSE RESOLUTIONS

- House Resolution No. 1—(Reps. Blair, Saumur and Allen of Grand Forks)**  
 Introduction, first reading, 603.  
 Adopted, 603.  
 Enrolled, 666.  
 Signed by Speaker, 667.  
 Forwarded to Secretary of State, 676.
- House Resolution No. 2—(Rep. Fitch)**  
 Introduction, first reading, 603.  
 Second reading, 603.  
 Adopted, 603.  
 Enrolled, 666.  
 Signed by Speaker, 667.  
 Forwarded to Secretary of State, 676.
- House Resolution No. 3—(Reps. Johnson of Cass, Bymers, Callahan and Bagge)**  
**House Resolution No. 3. A Resolution of Impeachment of Oscar E. Erickson, Commissioner of Insurance of the State of North Dakota.**  
 Introduction, first reading, 815.  
 Referred to Committee of the Whole.  
 General Orders, 892.  
 Adopted, 892.  
 Other action, 935.  
 Forwarded to Senate, 916.  
 Enrolled, 918.  
 Signed by Speaker, 916.  
 Forwarded to Secretary of State, 918.

# RECORD OF SENATE BILLS IN THE HOUSE

## Senate Bill No. 1

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous Expenses, and New Buildings of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Received from Senate, 601.  
First reading, 605.  
Referred to Committee on Appropriations.  
Reported back, 1004.  
Amended, 1004.  
Second reading, 1084.  
Passed, 1084.  
Other action, 1107.  
Returned to Senate, 1087, 1196.  
Signed by Speaker, 1196.

## Senate Bill No. 2

Senate Bill No. 2. A Bill for an Act Making an Appropriation Into the "Administrative Fund" for the State Water Conservation Commission for General Administration Expenses, Maintenance of Existing Dams and Drainage Channels, Construction of Needed Drainage Channels, Planning and Surveying Projects, and Expenses of State Compacts.

Received from Senate, 283.  
First reading, 284.  
Referred to Committee on Appropriations.  
Reported back, 841.  
Amended, 841, 984.  
General Orders, 906.  
Second reading, 984.  
Passed, 984.  
Other action, 1030, 1122, 1130.  
Conference Committee, 1031.  
Returned to Senate, 988, 1213.  
Returned by Senate, 1212.  
Senate action, 1119.  
Signed by Speaker, 1213.

## Senate Bill No. 3

Senate Bill No. 3. A Bill for an Act Making an Appropriation to the State Water Conservation Commission for the Preparation of Water Conservation and Irrigation Projects for Post-War Construction and Development.

Received from Senate, 292.  
First reading, 298.  
Referred to Committee on Appropriations.  
Reported back, 841.  
Amended, 841.  
Second reading, 951.  
Passed, 951.

Other action, 1030.  
Returned to Senate, 988, 1186.  
Returned by Senate, 1167.  
Signed by Speaker, 1185.

**Senate Bill No. 4**

Senate Bill No. 4. A Bill for an Act Making an Appropriation for the Payment of the Premiums for Boys' and Girls' Club Work at County Achievement Fairs; and Providing the Manner of Disbursing Such Funds and Making Reports.

Received from Senate, 137.  
First reading, 143.  
Referred to Committee on Appropriations.  
Reported back, 419.  
Amended, 419.  
General Orders, 450.  
Second reading, 514.  
Passed, 514.  
Returned to Senate, 521, 643.  
Returned by Senate, 626.  
Senate action, 523.  
Signed by Speaker, 642.

**Senate Bill No. 5**

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories, Blood Plasma Program and Division of Child Hygiene.

Received from Senate, 282.  
First reading, 283.  
Referred to Committee on Appropriations.  
Reported back, 841.  
Amended, 841.  
General Orders, 907.  
Second reading, 985.  
Passed, 985.  
Returned to Senate, 988, 1186.  
Returned by Senate, 1167.  
Senate action, 1067.  
Signed by Speaker, 1185.

**Senate Bill No. 6**

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Received from Senate, 494.  
First reading, 500.  
Referred to Committee on Appropriations.  
Reported back, 759.  
Amended, 759.  
General Orders, 835.  
Second reading, 864.  
Passed, 865.  
Returned to Senate, 872, 1186, 1208.  
Returned by Senate, 1167, 1204.

Senate action, concur, 895.  
Signed by Speaker, 1185, 1207.

**Senate Bill No. 7**

Senate Bill No. 7. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Received from Senate, 260.  
First reading, 267.  
Referred to Committee on Appropriations.  
Reported back, 434.  
Amended, 434.  
Second reading, 508.  
Passed, 508.  
Returned to Senate, 521, 643.  
Returned by Senate, 626.  
Senate action, 528.  
Signed by Speaker, 642.

**Senate Bill No. 8**

Senate Bill No. 8. A Bill for an Act Making an Appropriation Out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Received from Senate, 245.  
First reading, 247.  
Referred to Committee on Appropriations.  
Reported back, 780.  
Amended, 780.  
General Orders, 836.  
Second reading, 868.  
Passed, 868.  
Other action, 920, 931.  
Conference committees, 888, 896.  
Returned to Senate, 872, 905, 921.  
Senate action, 888, 931.

**Senate Bill No. 9**

Senate Bill No. 9. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Received from Senate, 137.  
First reading, 144.  
Referred to Committee on Appropriations.  
Reported back, 759.  
Second reading, 803.  
Passed, 803.  
Returned to Senate, 819, 1078.  
Returned by Senate, 1031.  
Signed by Speaker, 1075.

**Senate Bill No. 10**

Senate Bill No. 10. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Head-

stones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Received from Senate, 137.  
 First reading, 144.  
 Referred to Committee on Appropriations.  
 Reported back, 419.  
 Second reading, 505.  
 Passed, 505.  
 Returned to Senate, 522, 643.  
 Returned by Senate, 626.  
 Signed by Speaker, 642.

**Senate Bill No. 11**

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Received from Senate, 246.  
 First reading, 247.  
 Referred to Committee on Appropriations.  
 Reported back, 840.  
 Amended, 840.  
 Second reading, 950.  
 Passed, 950.  
 Returned to Senate, 989, 1208.  
 Returned by Senate, 1204.  
 Senate action, 1067.  
 Signed by Speaker, 1207.

**Senate Bill No. 12**

Senate Bill No. 12. A Bill for an Act Making an Appropriation Out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Received from Senate, 358.  
 First reading, 411.  
 Referred to Committee on Appropriations.  
 Reported back, 780.  
 Amended, 780.  
 General Orders, 836.  
 Second reading, 867.  
 Passed, 867.  
 Returned to Senate, 872, 1186.  
 Returned by Senate, 1167.  
 Senate action, concur, 895.  
 Signed by Speaker, 1185.

**Senate Bill No. 13**

Senate Bill No. 13. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Received from Senate, 282.  
First reading, 283.  
Referred to Committee on Appropriations.  
Reported back, 840.  
Amended, 840.  
Second reading, 949.  
Passed, 949.  
Returned to Senate, 989, 1208.  
Returned by Senate, 1204.  
Senate action, 1067.  
Signed by Speaker, 1207.

**Senate Bill No. 14**

Senate Bill No. 14. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for Its Operating and Maintenance Expense and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Received from Senate, 246.  
First reading, 247.  
Referred to Committee on Appropriations.  
Reported back, 840.  
Amended, 840.  
Second reading, 948.  
Passed, 948.  
Returned to Senate, 989, 1208.  
Returned by Senate, 1204.  
Senate action, 1067.  
Signed by Speaker, 1207.

**Senate Bill No. 15**

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

Received from Senate, 412.  
First reading, 413.  
Referred to Committee on Appropriations.  
Reported back, 758.  
Second reading, 802.  
Passed, 802.  
Returned to Senate, 819, 1078.  
Returned by Senate, 1031.  
Signed by Speaker, 1075.

**Senate Bill No. 16**

Senate Bill No. 16. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Received from Senate, 190.  
First reading, 192.  
Referred to Committee on Appropriations.  
Reported back, 838.  
Amended, 838.  
Second reading, 946.  
Passed, 946.  
Returned to Senate, 989, 1186.  
Returned by Senate, 1167.

Senate action, 1067.  
Signed by Speaker, 1185.

**Senate Bill No. 17**

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspector and Coal Mine Safety Work.

Received from Senate, 171.  
First reading, 175.  
Referred to Committee on Appropriations.  
Reported back, 839.  
Amended, 839.  
General Orders, 906.  
Second reading, 974.  
Passed, 974.  
Conference committees, 1068, 1123.  
Returned to Senate, 989, 1214.  
Returned by Senate, 1212.  
Senate action, 1141.  
Signed by Speaker, 1213.

**Senate Bill No. 18**

Senate Bill No. 18. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Received from Senate, 282.  
First reading, 283.  
Referred to Committee on Appropriations.  
Reported back, 419.  
Second reading, 506.  
Passed, 506.  
Returned to Senate, 522, 643.  
Returned by Senate, 626.  
Signed by Speaker, 642.

**Senate Bill No. 19**

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Received from Senate, 413.  
First reading, 413.  
Referred to Committee on Appropriations.  
Reported back, 758.  
Amended, 758.  
Second reading, 801.  
Passed, 801.  
Returned to Senate, 819, 1078.  
Returned by Senate, 1031.  
Senate action, 826.  
Signed by Speaker, 1075.

**Senate Bill No. 20**

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence

**Cannot Be Determined and Whose Care Must Be Borne by the State.**

Received from Senate, 137.  
 First reading, 144.  
 Referred to Committee on Appropriations.  
 Reported back, 419.  
 Second reading, 506.  
 Passed, 506.  
 Returned to Senate, 522, 643.  
 Returned by Senate, 626.  
 Signed by Speaker, 642.

**Senate Bill No. 21**

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Received from Senate, 137.  
 First reading, 144.  
 Referred to Committee on Appropriations.  
 Reported back, 382.  
 Amended, 382.  
 Second reading, 410.  
 Passed, 410.  
 Returned to Senate, 418, 546.  
 Returned by Senate, 530.  
 Senate action, 473.  
 Signed by Speaker, 532.

**Senate Bill No. 22**

Senate Bill No. 22. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Commissioner of Veterans' Affairs.

Received from Senate, 292.  
 First reading, 298.  
 Referred to Committee on Appropriations.  
 Reported back, 875.  
 Amended, 875.  
 General Orders, 941.  
 Second reading, 1023.  
 Passed, 1023.  
 Returned to Senate, 1026, 1186.  
 Returned by Senate, 1167.  
 Senate action, 1067.  
 Signed by Speaker, 1185.

**Senate Bill No. 23**

Senate Bill No. 23. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Chapter 36-02 of the North Dakota Revised Code of 1943.

Received from Senate, 413.  
 First reading, 413.  
 Referred to Committee on Appropriations.  
 Reported back, 758.  
 Second reading, 800.  
 Passed, 800.



Returned to Senate, 819, 1078.  
Returned by Senate, 1031.  
Signed by Speaker, 1075.

**Senate Bill No. 24**

Senate Bill No. 24. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Received from Senate, 227.  
First reading, 236.  
Referred to Committee on Appropriations.  
Reported back, 779.  
Amended, 779.  
General Orders, 835.  
Second reading, 866.  
Passed, 866.  
Other action, 937.  
Returned to Senate, 872, 1078.  
Returned by Senate, 1031.  
Signed by Speaker, 1075.

**Senate Bill No. 25**

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Salaries and Expenses of the State Geological Survey and for Cooperation of United States Geological Survey.

Received from Senate, 190.  
First reading, 192.  
Referred to Committee on Appropriations.  
Reported back, 839.  
Amended, 839.  
Second reading, 947.  
Passed, 947.  
Returned to Senate, 989, 1186.  
Returned by Senate, 1167.  
Senate action, 1067.  
Signed by Speaker, 1185.

**Senate Bill No. 26**

Senate Bill No. 26. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Received from Senate, 214.  
First reading, 236.  
Referred to Committee on Appropriations.  
Reported back, 758.  
Amended, 758.  
Second reading, 799.  
Passed, 799.  
Returned to Senate, 820, 1078.  
Returned by Senate, 1031.  
Senate action, 826.  
Signed by Speaker, 1075.

**Senate Bill No. 27**

Senate Bill No. 27. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State

**Soil Conservation Committee or the Activities of the State Soil Conservation Districts.**

Received from Senate, 282.  
 First reading, 283.  
 Referred to Committee on Appropriations.  
 Reported back, 838.  
 Amended, 838.  
 General Orders, 906.  
 Second reading, 963.  
 Passed, 963.  
 Returned to Senate, 989, 1187.  
 Returned by Senate, 1167.  
 Senate action, 1067.  
 Signed by Speaker, 1185.

**Senate Bill No. 28**

Senate Bill No. 28. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Received from Senate, 260.  
 First reading, 267.  
 Referred to Committee on Appropriations.  
 Reported back, 838.  
 Amended, 838.  
 General Orders, 906.  
 Second reading, 962.  
 Passed, 962.  
 Returned to Senate, 989, 1187.  
 Returned by Senate, 1168.  
 Senate action, 1067.  
 Signed by Speaker, 1185.

**Senate Bill No. 29**

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Received from Senate, 214.  
 First reading, 236.  
 Referred to Committee on Appropriations.  
 Reported back, 779.  
 Amended, 779.  
 Second reading, 848.  
 Passed, 848.  
 Conference Committee, 1123.  
 Returned to Senate, 871, 1079.  
 Returned by Senate, 1031.  
 Senate action, concur, 895.  
 Signed by Speaker, 1075.

**Senate Bill No. 30**

Senate Bill No. 30. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to Be Placed at the Disposal of the State Emergency Commission to Be Used as Provided by Sections 54-1601 to 54-1604, Inclusive, and 54-1606, and Also Section 54-1609 of the North Dakota Revised Code of 1943.

Received from Senate, 261.  
First reading, 267.  
Referred to Committee on Appropriations.  
Reported back, 758.  
Second reading, 798.  
Passed, 798.  
Returned to Senate, 819, 1079.  
Returned by Senate, 1031.  
Signed by Speaker, 1075.

**Senate Bill No. 31**

Senate Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Received from Senate, 292.  
First reading, 298.  
Referred to Committee on Appropriations.  
Reported back, 779.  
Second reading, 847.  
Passed, 847.  
Returned to Senate, 880, 1079.  
Returned by Senate, 1032.  
Signed by Speaker, 1075.

**Senate Bill No. 32**

Senate Bill No. 32. A Bill for an Act Transferring to the Veterans Post-War Rehabilitation Reserve Fund the Sum of Five Hundred Thousand Dollars (\$500,000.00) on July 1, 1945 and a Like Sum on July 1, 1946.

Received from Senate, 662.  
First reading, 733.  
Referred to Committee on Veterans and Military Affairs.  
Reported back, 785, 875.  
Re-referred to Committee on Appropriations, 785.  
Second reading, 957.  
Passed, 957.  
Returned to Senate, 1010, 1187.  
Returned by Senate, 1168.  
Signed by Speaker, 1185.

**Senate Bill No. 35**

Senate Bill No. 35. A Bill for an Act Providing for Furnishing Veterans, or Their Representatives, Without Charge of Copies of Public Records; Exempting Officers from Certain Accountability, Repealing All Acts in Conflict, and Declaring an Emergency.

Received from Senate, 186.  
First reading, 186.  
Referred to Committee on Veterans and Military Affairs.  
Reported back, 419.  
Second reading, 504.  
Passed, 504.  
Returned to Senate, 522, 741.  
Returned by Senate, 738.  
Signed by Speaker, 740.

**Senate Bill No. 36**

Senate Bill No. 36. A Bill for an Act Appropriating \$2400 for the Veterans' Emergency Fund, re-Appropriating Any Unused Funds Previously Appropriated for Said Fund, Providing for the Use of Such Fund by the Veterans' Service Commissioner, the Manner of Its Disbursement, and Declaring an Emergency.

Received from Senate, 246.  
First reading, 247.  
Referred to Committee on Appropriations.  
Reported back, 875.  
Amended, 875.  
Second reading, 956.  
Passed, 956.  
Returned to Senate, 989, 1208.  
Returned by Senate, 1204.  
Senate action, 1067.  
Signed by Speaker, 1207.

**Senate Bill No. 37**

Senate Bill No. 37. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Received from Senate, 171.  
First reading, 175.  
Referred to Committee on Appropriations.  
Second reading, 846.  
Passed, 846.  
Returned to Senate, 880, 1079.  
Returned by Senate, 1032.  
Signed by Speaker, 1075.

**Senate Bill No. 38**

Senate Bill No. 38. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Paragraphs 2 and 9 of Section 2 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsections 4 and 13 of 65-0102, of the 1943 Code, Relating to the Definitions of Hazardous Employment and Child; Subdivision C of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0509, of the 1943 Code, Relating to Permanent Total Disability and Making Said Provision Thereof Retroactive; Subdivision D of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0510, of the 1943 Code, Relating to Weekly Compensation; Subdivision F of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0511, of the 1943 Code, Relating to Weekly Compensation for Total Disability; Subsection E of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0513, of the 1943 Code, Relating to Schedule of Specific Benefits; Subdivision G of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as Subsection 6 of 65-0517, of the 1943 Code,

Relating to Weekly Wages of Deceased Employee; Subdivision H of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0525, of the 1943 Code, Relating to Lump Sum Settlements; Subdivision I of Section 3 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-0526, of the 1943 Code, Relating to Burial Expenses; Section 17 of Chapter 162 of the Session Laws of 1919 and Acts Amendatory Thereof, the Same Being Designated as 65-1001, of the 1943 Code, Relating to Participation in the Fund by Claimant and Making the Same Retroactive.

Received from Senate, 204.  
 First reading, 207.  
 Referred to Committee on State Affairs, 208.  
 Reported back, 269.  
 Amended, 269.  
 General Orders, 294.  
 Second reading, 349.  
 Passed, 349.  
 Conference Committees, 380, 390, 544.  
 Returned to Senate, 374, 762.  
 Returned by Senate, 753.  
 Senate action, 380, 525.  
 Signed by Speaker, 760.

#### Senate Bill No. 39

Senate Bill No. 39. 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 Sections 26-2401 to 26-2421, Inclusive, of the North Dakota Revised Code of 1943, and Declaring an Emergency.

Received from Senate, 214.  
 First reading, 236.  
 Referred to Committee on Appropriations.  
 Reported back, 779.  
 Second reading, 845.  
 Passed, 845.  
 Returned to Senate, 880, 1079.  
 Returned by Senate, 1032.  
 Signed by Speaker, 1075.

#### Senate Bill No. 40

Senate Bill No. 40. A Bill for an Act for the Adoption of the North Dakota Revised Code of 1943, Consisting of Sixty-five Titles, Including an Integration of the 1943 Session Laws, as a Complete Body of Laws, Repealing All Laws Not Specifically Excepted; and Declaring an Emergency.

Received from Senate, 81, 128.  
 First reading, 81.  
 Referred to Committee on Judiciary.  
 Reported back, 83.  
 Amended, 89.  
 Second reading, 88, 128.  
 Passed, 88, 89, 128.  
 Returned to Senate, 98, 133, 134.

Senate action, 109, 116.  
Conference Committee, 117.  
Conference Committee amendment, 127.  
House concurred, 128.  
Speaker signed, 134.

#### Senate Bill No. 41

Senate Bill No. 41. A Bill for an Act Relating to the Authorization of a Two Mill Levy for the Care, Maintenance, and Improvement of Cemeteries by Organized Townships, Villages and Cities of the State of North Dakota.

Received from Senate, 246.  
First reading, 248.  
Referred to Committee on Cities and Municipal Corporations.  
Re-referred to Committee on Cities and Municipal Corporations, 340.  
Reported back, 446.  
General Orders, 521.  
Second reading, 565.  
Passed, 565.  
Returned to Senate, 593, 741.  
Returned by Senate, 738.  
Signed by Speaker, 740.

#### Senate Bill No. 43

Senate Bill No. 43. A Bill for an Act Permitting Residents of North Dakota in Military Service of the United States to Hunt, Fish or Trap, Without License Therefor for the Duration of the Present War, and for Six Months Thereafter, While on Furlough.

Received from Senate, 358.  
First reading, 411.  
Referred to Committee on Game and Fish.  
Reported back, 811.  
Second reading, 908.  
Passed, 909.  
Returned to Senate, 933, 1187.  
Returned by Senate, 1168.  
Signed by Speaker, 1185.

#### Senate Bill No. 44

Senate Bill No. 44. A Bill for an Act Providing for the Transfer of \$50,000.00 from the State Capitol Building Fund for the Purpose of Erecting a New Governor's Mansion and Equipping the Same on the Capitol Grounds in the City of Bismarck, North Dakota.

Received from Senate, 283.  
First reading, 283.  
Referred to Committee on State Affairs.  
Reported back, 469.  
Amended, 828.  
Second reading, 829.  
Passed, 829.  
Returned to Senate, 872, 1079.  
Returned by Senate, 1032.  
Senate action, concur, 895.  
Signed by Speaker, 1075.

**Senate Bill No. 45**

Senate Bill No. 45. A Bill for an Act to Amend and Re-enact Section 44-0210 of the North Dakota Revised Code of 1943 Relating to Filling Vacancies in Public Office Caused by Military Service, Making it Retroactive, Validating Appointments, and Declaring an Emergency.

Received from Senate, 205.

First reading, 208.

Referred to Committee on Judiciary.

Reported back, 238.

Second reading, 263.

Passed, 263.

Returned to Senate, 276, 345.

Returned by Senate, 297.

Signed by Speaker, 299.

**Senate Bill No. 46**

Senate Bill No. 46. A Bill for an Act to Amend and Re-enact Section 57-2824 of North Dakota Revised Code of 1943 to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, Mutual Aid Corporations and Individuals, and to Declare an Emergency.

Received from Senate, 246.

First reading, 248.

Referred to Committee on Agriculture.

Reported back, 778.

Second reading, 826.

Passed, 826.

Returned to Senate, 880, 1014.

Returned by Senate, 995.

Signed by Speaker, 1012.

**Senate Bill No. 47**

Senate Bill No. 47. A Bill for an Act to Establish Prudent Investment as the Standard for Valuation of Public Utility Property for Rate-making Purposes.

Received from Senate, 229.

First reading, 236.

Referred to Committee on State Affairs.

Reported back, 404.

Amended, 404.

General Orders, 423.

Second reading, 507.

Passed, 507.

Returned to Senate, 522, 674.

Returned by Senate, 660.

Senate action, 528.

Signed by Speaker, 667.

**Senate Bill No. 48**

Senate Bill No. 48. A Bill for an Act to Amend and Re-enact Section 53-0508 of the Revised Code for North Dakota for 1943, Pertaining to Minors Visiting Certain Public Places, and Prescribing Penalties for Violation Thereof.

Received from Senate, 261.

First reading, 267.

Referred to Committee on Public Safety.

Re-referred, 422.  
Reported back, 405, 752.  
Amended, 405, 752.  
Second reading, 795.  
Passed, 795.  
Returned to Senate, 811, 933.  
Returned by Senate, 929.  
Senate action, 826.  
Signed by Speaker, 930.

**Senate Bill No. 49**

Senate Bill No. 49. A Bill for an Act Providing for the Retirement of District Court Judges, Providing the Manner of Making Application, Compensation in Case of Retirement, Method of Filling Such Vacancy, and Declaring an Emergency.

Received from Senate, 248.  
First reading, 249.  
Referred to Committee on Judiciary.  
Reported back, 781.  
Second reading, 849.  
Passed, 850.  
Returned to Senate, 880, 1079.  
Returned by Senate, 1032.  
Signed by Speaker, 1075.

**Senate Bill No. 51**

Senate Bill No. 51. A Bill for an Act Amending and Re-enacting Section 54-2601 of the North Dakota Revised Code of 1943, Relating to Taking of Census in This State.

Received from Senate, 171.  
First reading, 175.  
Referred to Committee on Judiciary.  
Reported back, 782.  
Second reading, 858.  
Passed, 858.  
Returned to Senate, 880, 1014.  
Returned by Senate, 995.  
Signed by Speaker, 1012.

**Senate Bill No. 52**

Senate Bill No. 52. A Bill for an Act to Amend and Re-enact Section 26-2519 of the North Dakota Revised Code of 1943, Relating to the Expense Fund; Credits To; Levies For Benevolent Societies.

Received from Senate, 171.  
First reading, 175.  
Referred to Committee on Insurance.  
Reported back, divided report, 1059.  
Second reading, 1098.  
Passed, 1098.  
Returned to Senate, 1143, 1196.  
Signed by Speaker, 1196.

**Senate Bill No. 53**

Senate Bill No. 53. A Bill for an Act to Amend and Re-enact Section 26-2501 of the North Dakota Revised Code of 1943, Relating to Benevolent Societies.



Received from Senate, 172.  
 First reading, 175.  
 Referred to Committee on Insurance.  
 Reported back, 1060.  
 Second reading, 1099.  
 Passed, 1099.  
 Returned to Senate, 1104, 1187.  
 Returned by Senate, 1168.  
 Signed by Speaker, 1185.

#### Senate Bill No. 55

Senate Bill No. 55. A Bill for an Act Authorizing Counties, Cities, Villages, Park Districts and Townships to Accept Federal and Other Monies for Airports and Other Air Navigation Facilities and Sites Therefor; to Designate the State Aeronautics Committee of North Dakota as Its Agent in Connection Therewith; to enter into Contracts in Connection Therewith; and Declaring an Emergency.

Received from Senate, 473.  
 First reading, 483.  
 Referred to Committee on Federal Relations.  
 Reported back, 749.  
 Amended, 749.  
 Second reading, 822.  
 Passed, 823.  
 Returned to Senate, 872, 1208.  
 Returned by Senate, 1204.  
 Senate action, concur, 895.  
 Signed by Speaker, 1207.

#### Senate Bill No. 56

Senate Bill No. 56. A Bill for an Act to Empower Counties, Cities, Villages, Park Districts and Townships to Promulgate, Administer, and Enforce Airport Zoning Regulations Limiting the Height of Structures and Objects of Natural Growth, and Otherwise Regulating the Use of Property, in the Vicinity of Airports, and to Acquire, by Purchase, Grant, or Condemnation, Air Rights and Other Interests in Land; to Provide Penalties and Remedies for Violations of this Act or any Ordinance or Regulation Made Under the Authority Conferred Herein; and Declaring an Emergency.

Received from Senate, 380.  
 First reading, 411.  
 Referred to Committee on Federal Relations.  
 Reported back, 749.  
 Amended, 749.  
 Second reading, 823.  
 Passed, 824.  
 Returned to Senate, 873, 1208.  
 Returned by Senate, 1204.  
 Senate action, concur, 895.  
 Signed by Speaker, 1207.

#### Senate Bill No. 57

Senate Bill No. 57. A Bill for an Act Defining Isonipicaine and Making It Subject to Chapter 19-03 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Received from Senate, 283.  
First reading, 284.  
Referred to Committee on Public Health.  
Reported back, 543.  
Amended, 543, 764.  
Second reading, 764.  
Passed, 764.  
Returned to Senate, 775, 934.  
Returned by Senate, 929.  
Senate action, 826.  
Signed by Speaker, 930.

**Senate Bill No. 58**

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Subsections 13, 16 and 17 of Section 19-0301 of the North Dakota Revised Code of 1943; and Declaring an Emergency.

Received from Senate, 292.  
First reading, 298.  
Referred to Committee on Public Health.  
Reported back, 543.  
Second reading, 763.  
Passed, 763.  
Returned to Senate, 789, 883.  
Returned by Senate, 874.  
Signed by Speaker, 877.

**Senate Bill No. 59**

Senate Bill No. 59. A Bill for an Act Amending and Re-enacting Section 54-1208 of the North Dakota Revised Code of 1943 Relating to the Appointment, by the Attorney General, of Special Assistant Attorneys General.

Received from Senate, 473.  
First reading, 483.  
Referred to Committee on Judiciary.  
Reported back, 782.  
Second reading, 855, 1037.  
Lost, 855.  
Reconsidered, 929.  
Passed, 1038.  
Returned to Senate, 1046, 1187.  
Returned by Senate, 1168.  
Signed by Speaker, 1185.

**Senate Bill No. 62**

Senate Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 16-0415; 16-0420 and 16-0426 of the 1943 Code Relative to Primary Election Ballots and Poll Lists. And Repealing all Acts and Parts of Acts in Conflict Herewith.

Received from Senate, 739.  
First reading, 740.  
Referred to Committee on Election and Election Privileges.  
Reported back, 887.  
Amended, 887.  
General Orders, 942.  
Indefinitely postponed, 942.  
Returned to Senate, 1073.

**Senate Bill No. 63**

Senate Bill No. 63. A Bill for an Act to Amend and Re-enact Section 25-0102 of the North Dakota Revised Code of 1943, Relating to the General Control and Management of the State Hospital, the State School, the State Sanatorium, Blind Asylum and School for the Deaf.

Received from Senate, 227.  
First reading, 236.  
Referred to Committee on Ways and Means.  
Reported back, 446.  
Second reading, 511.  
Passed, 511.  
Returned to Senate, 522, 644.  
Returned by Senate, 626.  
Signed by Speaker, 642.

**Senate Bill No. 65**

Senate Bill No. 65. A Bill for an Act to Amend and Re-enact Section 10-0513 of the North Dakota Revised Code of 1943, Providing the Place of Holding Stockholders' and Directors' Meetings, and Repealing Acts in Conflict Therewith.

Received from Senate, 205.  
First reading, 208.  
Returned to Senate, 208.

**Senate Bill No. 65**

Received from Senate, 214.  
First reading, 237.  
Referred to Committee on Judiciary.  
Reported back, 782.  
Amended, 782.  
Second reading, 860.  
Killed, 860.  
Returned to Senate, 1030.

**Senate Bill No. 66**

Senate Bill No. 66. A Bill for an Act Authorizing the State Registrar of Vital Statistics to Issue Death Certificates in Certain Cases of Deceased Veterans, and Declaring an Emergency.

Received from Senate, 261.  
First reading, 267.  
Referred to Committee on Veterans and Military Affairs.  
Reported back, 357.  
Second reading, 399.  
Passed, 399.  
Returned to Senate, 418, 448.  
Returned by Senate, 436.  
Signed by Speaker, 448.

**Senate Bill No. 67**

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 25-0825 of the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care

from Patients, Estates of Patients, and from Veterans, and Declaring an Emergency.

Received from Senate, 246, 709.

First reading, 247.

Referred to Committee on Veterans and Military Affairs.

Reported back, 358.

Amended, 358.

Second reading, 400, 904.

Passed, 400, 904.

Returned to Senate, 418, 1187.

Returned by Senate, 911, 1168.

Senate action, 473, 750.

Signed by Speaker, 1185.

#### Senate Bill No. 68

Senate Bill No. 68. A Bill for an Act to Amend and Re-enact Chapter 30 of the Authenticated Edition of the Acts of the 1944 Special Session of the Twenty-eighth Legislative Assembly (House Bill 24) Authorizing the Board of County Commissioners to Appoint, Employ, and Pay a County Veterans' Service Officer Under the Supervision of the Veterans' Service Commissioner to Assist Returning Members of the Armed Forces in the Solution of Their Problems, and Declaring an Emergency.

Received from Senate, 246.

First reading, 247.

Referred to Committee on Veterans and Military Affairs.

Reported back, 784.

Second reading, 862.

Passed, 862.

Returned to Senate, 880, 1079.

Returned by Senate, 1032.

Signed by Speaker, 1075.

#### Senate Bill No. 69

Senate Bill No. 69. A Bill for an Act Amending and Re-enacting Sections 37-1401, 37-1404, 37-1405, 37-1406, of the North Dakota Revised Code of 1943, Creating a Veterans' Aid Commission, Specifying Its Powers and Duties, Appropriating the Sum of \$150,000.00 as a Veterans' Aid Fund, and \$15,000.00 for Operating Expenses, Providing for the Manner of Its Use, and Defining Those Entitled to Aid from Such Fund.

Received from Senate, 662.

First reading, 736.

Referred to Committee on Veterans and Military Affairs.

Reported back, 784, 876.

Amended, 876.

Re-referred to Committee on State Affairs, 784.

General Orders, 942.

Second reading, 1044, 1137.

Passed, 1045, 1137.

Other action, 1088, 1092, 1136, 1139.

Conference Committees, 1067, 1068, 1089, 1092, 1099.

Returned to Senate, 1045, 1214.

Returned by Senate, 1212.

Senate action, 1067, 1119.

Signed by Speaker, 1213.

**Senate Bill No. 71**

Senate Bill No. 71. A Bill for an Act to Amend and Re-enact Section 30-2313 of the North Dakota Revised Code of 1943 Relating to the Guardianship of Incompetent Veterans and of Minor Children of Disabled or Deceased Veterans, and Repealing Acts in Conflict Therewith, and Declaring an Emergency.

Received from Senate, 473.

First reading, 483.

Referred to Committee on Veterans and Military Affairs.

Reported back, 783.

Amended, 783.

General Orders, 836.

Second reading, 869.

Passed, 869.

Other action, 937.

Returned to Senate, 873, 1187.

Returned by Senate, 1168.

Signed by Speaker, 1185.

**Senate Bill No. 72**

Senate Bill No. 72. A Bill for an Act Accepting from the United States the Lands and Improvements Comprising the Bismarck Indian School Plant, to Be Known as Fraine Barracks, and Declaring an Emergency.

Received from Senate, 246.

First reading, 247.

Referred to Committee on Veterans and Military Affairs.

Reported back, 812.

Second reading, 912.

Passed, 912.

Returned to Senate, 933, 1187.

Returned by Senate, 1168.

Signed by Speaker, 1185.

**Senate Bill No. 73**

Senate Bill No. 73. A Bill for an Act Making an Appropriation for the Completion of Work and for Maintenance of Fraine Barracks in Burleigh County, North Dakota; Providing for Method of Disbursement, and Declaring an Emergency.

Received from Senate, 261.

First reading, 267.

Referred to Committee on Veterans and Military Affairs.

Reported back, 784, 875.

Re-referred to Committee on Appropriations, 784.

Second reading, 955.

Passed, 955.

Returned to Senate, 1010, 1187.

Returned by Senate, 1168.

Signed by Speaker, 1185.

**Senate Bill No. 74**

Senate Bill No. 74. A Bill for an Act to Amend and Re-enact Section 26-1501 of the North Dakota Revised Code of 1943, Relating to Organization of County Mutual Insurance Companies.

Received from Senate, 473.  
First reading, 483.  
Referred to Committee on Insurance.  
Reported back, 889.  
Second reading, 961.  
Passed, 961.  
Returned to Senate, 1010, 1187.  
Returned by Senate, 1168.  
Signed by Speaker, 1185.

**Senate Bill No. 75**

Senate Bill No. 75. A Bill for an Act Prescribing the Method of Investing the Various Funds of the State of North Dakota and the Boards, Bureaus, Institutes and Industries of the State; to Eliminate the Confusion and Competition Between the Various Departments Now Selling and Buying Bonds; Provide Penalty for Violation of this Act, and Repealing all Acts in Conflict Herewith.

Received from Senate, 227.  
First reading, 237.  
Referred to Committee on State Affairs.  
Re-referred to Committee on State Affairs, 348.  
Reported back, 927.  
Indefinitely postponed, 927.  
Returned to Senate, 1029.

**Senate Bill No. 78**

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 57-3824 of North Dakota Revised Code of 1943 Pertaining to Net Losses and Exceptions in Income Tax Rates, and Declaring an Emergency.

Received from Senate, 261.  
First reading, 267.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 446.  
Second reading, 513.  
Passed, 513.  
Returned to Senate, 522, 741.  
Returned by Senate, 738.  
Signed by Speaker, 740.

**Senate Bill No. 79**

Senate Bill No. 79. A Bill for an Act to Repeal Section 57-3825 of North Dakota Revised Code of 1943 Providing for a Net Loss as a Deduction in Income Tax, and Declaring an Emergency.

Received from Senate, 261.  
First reading, 267.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 446.  
Second reading, 512.  
Passed, 512.  
Returned to Senate, 522, 674.  
Returned by Senate, 660.  
Signed by Speaker, 667.

**Senate Bill No. 81**

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Section 57-2818 of the North Dakota Revised Code of 1943 Providing for Private Sale of County Tax Deed Property, and Redemption and Distribution of Proceeds.

Received from Senate, 248.

First reading, 249.

Referred to Committee on Tax and Tax Laws.

Re-referred to Committee on Judiciary, 351.

Reported back, 991.

Indefinitely postponed, 991.

Returned to Senate, 1030.

**Senate Bill No. 84**

Senate Bill No. 84. A Bill for an Act Amending and Re-enacting Section 10-1502 of the North Dakota Revised Code of 1943 Relating to Cooperative Associations and the Purposes of Organization.

Received from Senate, 246.

First reading, 247.

Referred to Committee on Corporations other than Municipal, 247.

Reported back, 778.

Second reading, 829.

Passed, 829.

Returned to Senate, 871, 1014.

Returned by Senate, 995.

Signed by Speaker, 1012.

**Senate Bill No. 85**

Senate Bill No. 85. A Bill for an Act to Amend and Re-enact Section 26-1513 of the North Dakota Revised Code of 1943 Relating to County Mutual Insurance Companies: Terms of Policy, Property Insurable.

Received from Senate, 473.

First reading, 483.

Referred to Committee on Insurance.

Reported back, 780.

Amended, 780.

Second reading, 848.

Passed, 849.

Returned to Senate, 873, 1214.

Returned by Senate, 1212.

Senate action, concurred, 895.

Signed by Speaker, 1213.

**Senate Bill No. 86**

Senate Bill No. 86. A Bill for an Act to Deny to Defeated Candidates for Nomination to Office at Primary Elections the Privilege of Having Their Names Printed on the Ensuing General Election Ballot as Candidates for the Same Office for Which They Were Defeated and for Repeal of Section 16-0606 of the North Dakota Revised Code of 1943.

Received from Senate, 662.

First reading, 736.

Referred to Committee on Election and Election Privileges.

Reported back, 812.

Second reading, 910.  
Passed, 910.  
Returned to Senate, 933, 1079.  
Returned by Senate, 1032.  
Signed by Speaker, 1075.

**Senate Bill No. 87**

Senate Bill No. 87. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; Establishing a Lien for the Payment of Such Tax; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith.

Received from Senate, 248.  
First reading, 248.  
Referred to Committee on Tax and Tax Laws, 249.  
Reported back, 761, 916.  
Amended, 761.  
Reconsidered, 788.  
Second reading, 916.  
Passed, 917.  
Returned to Senate, 1074, 1214.  
Returned by Senate, 1213.  
Signed by Speaker, 1213.

**Senate Bill No. 88**

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Section 38-0507, of the North Dakota Revised Code of 1943, Relating to Certificate of Qualification of Mine Foreman; Issuance; Grade Required; Qualifications; Form; Evidence; Record.

Received from Senate, 283.  
First reading, 284.  
Referred to Committee on Mines and Mining.  
Reported back, 327, 447.  
Amended, 447.  
Re-referred to Committee on Mines and Mining, 348.  
General Orders, 609.  
Second reading, 767.  
Passed, 767.  
Returned to Senate, 775, 934.  
Returned by Senate, 929.  
Senate action, 826.  
Signed by Speaker, 930.

**Senate Bill No. 89**

Senate Bill No. 89. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Salaries of the Game and Fish Commissioner, Deputy Game and Fish Commissioner, and Chief Game Warden, and Declaring an Emergency.

Received from Senate, 246.  
First reading, 248.



**Referred to Committee on Appropriations.**

Reported back, 778.  
Second reading, 827.  
Passed, 827.  
Returned to Senate, 1075, 1209.  
Returned by Senate, 1205.  
Signed by Speaker, 1207.

**Senate Bill No. 90**

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 15-0407 and Section 15-0720 of the North Dakota Revised Code of 1943, Pertaining to Equalization of Appraisal, Leasing of Original Grant Lands and Leasing of Nongrant Lands by the Board of University and School Lands; Fixing Minimum and Declaring an Emergency.

Received from Senate, 261.  
First reading, 268.  
Referred to Committee on School and Public Lands.  
Reported back, 288.  
Second reading, 347.  
Passed, 347.  
Returned to Senate, 351, 402.  
Returned by Senate, 382.  
Signed by Speaker, 390.

**Senate Bill No. 91**

Senate Bill No. 91. A Bill for an Act Making an Appropriation for the Use of the North Dakota Post-War Planning Board.

Received from Senate, 261.  
First reading, 268.  
Referred to Committee on Appropriations.  
Reported back, 757.  
Indefinitely postponed, 757.  
Returned to Senate, 819.

**Senate Bill No. 92**

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 34-0606 of the North Dakota Revised Code of 1943 Relating to the Hours of Labor of Females Within This State in Certain Commercial Establishments and in State Institutions.

Received from Senate, 601.  
First reading, 605.  
Referred to Committee on Ways and Means.  
Reported back, 1059.  
Indefinitely postponed, 1059.  
Returned to Senate, 1062.

**Senate Bill No. 93**

Senate Bill No. 93. A Bill for an Act to Regulate Primary and General Elections and to Facilitate the Participation Therein of Electors Engaged in the Military or Naval Service or in the Merchant Marine of the United States and to Amend and Re-enact Sections 16-0107, 16-0402, 16-0403, 16-0404, 16-0405, 16-0406, 16-0408, 16-0412, 16-0503, 16-0504, 16-0505, 16-0807, 16-1701, 16-1703, 16-1801, 16-1804, 16-1805, 16-1806,

16-1808, 16-1811, 16-1813, and 16-1814 of the North Dakota Revised Code of 1943; and to Repeal Section 16-1812 of the North Dakota Revised Code of 1943 and Chapter 16- (House Bill No. 3), and Chapter 17 (House Bill No. 9), Chapter 18 (House Bill No. 4), Chapter 19 (House Bill No. 11), Chapter 20 (House Bill No. 10), Chapter 21 (House Bill No. 2), Chapter 22 (House Bill No. 13), Chapter 23 (House Bill No. 8), Chapter 24 (House Bill No. 5), Chapter 25 (House Bill No. 7), and Chapter 26 (House Bill No. 12), of the Authenticated Edition of the Special Session Laws of 1944.

Received from Senate, 662.

First reading, 736.

Referred to Committee on Election and Election Privileges.

Reported back, 812.

Indefinitely postponed, 812.

Returned to Senate, 881.

#### Senate Bill No. 94

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Sections 40-3801, 40-3802, 40-3803, 40-3804, 40-3805, 40-3809 and 40-3810 of the North Dakota Revised Code of 1943, Relating to the Establishment and Maintenance of Public Libraries.

Received from Senate, 424.

First reading, 425.

Referred to Committee on Education.

Reported back, 926.

Second reading, 1015.

Passed, 1015.

Returned to Senate, 1029, 1187.

Returned by Senate, 1168.

Signed by Speaker, 1185.

#### Senate Bill No. 95

Senate Bill No. 95. A Bill for an Act Authorizing the District Courts to Dissolve Villages Not Subject to Dissolution Under Existing Laws.

Received from Senate, 413.

First reading, 413.

Referred to Committee on Judiciary.

Reported back, 782.

Second reading, 859.

Passed, 859.

Returned to Senate, 880, 1014.

Returned by Senate, 995.

Signed by Speaker, 1012.

#### Senate Bill No. 97

Senate Bill No. 97. A Bill for an Act to Amend and Re-enact Section 57-1516 of the North Dakota Revised Code of 1943 Providing for a Tax Levy for Building Fund in School Districts and Providing for an Election to Authorize the Levy of Said Tax, and Authorizing the Creation by a School District of a Building Fund and Appropriation to Said Fund from the Budget and Limitations on Such Allowance in the Budget, and Declaring an Emergency.

Received from Senate, 495.

First reading, 498.

Referred to Committee on Education.  
Reported back, 927.  
Second reading, 1016.  
Passed, 1016.  
Returned to Senate, 1029, 1209.  
Returned by Senate, 1205.  
Signed by Speaker, 1207.

**Senate Bill No. 98**

Senate Bill No. 98. A Bill for an Act to Fix the Tax Levy Limitations in School Districts.

Received from Senate, 556.  
First reading, 560.  
Referred to Committee on Education.  
Reported back, 926.  
Indefinitely postponed, 926.  
Returned to Senate, 1029.

**Senate Bill No. 99**

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 57-1524 and Section 57-1525 of the North Dakota Revised Code of 1943 Providing for a County Tax Levy of Two Mills on All Taxable Property in the County, for a County Tuition Fund and Providing for the Apportionment of Said Fund.

Received from Senate, 495.  
First reading, 498.  
Referred to Committee on Education.  
Reported back, 926.  
Indefinitely postponed, 926.  
Returned to Senate, 1029.

**Senate Bill No. 100**

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 57-1508 of the North Dakota Revised Code of 1943 Relating to Tax Levy Limitations in Cities, and Declaring an Emergency.

Received from Senate, 601.  
First reading, 606.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 885.  
Laid on table, 886.  
Returned to Senate, 891.

**Senate Bill No. 101**

Senate Bill No. 101. A Bill for an Act Making an Appropriation for the Repayment of Certain Monies Heretofore Escheated to the State of North Dakota and Paid Into the General Fund of the State, and Declaring an Emergency.

Received from Senate, 358.  
First reading, 411.  
Referred to Committee on Appropriations.  
Reported back, 778.  
Second reading, 844.  
Passed, 844.

Returned to Senate, 880, 1079.  
Returned by Senate, 1032.  
Signed by Speaker, 1075.

**Senate Bill No. 102**

Senate Bill No. 102. A Bill for an Act Repealing Section 11-1803 of the North Dakota Revised Code of 1943 Relating to Inspection Book Kept by County Auditors.

Received from Senate, 261.  
First reading, 268.  
Referred to Committee on Counties.  
Reported back, 358.  
Amended, 358.  
Second reading, 401.  
Passed, 401.  
Returned to Senate, 418, 546.  
Returned by Senate, 530.  
Senate action, 473.  
Signed by Speaker, 532.

**Senate Bill No. 103**

Senate Bill No. 103. A Bill for an Act to Amend and Re-enact Section 40-2410 of the North Dakota Revised Code of 1943, Authorizing Cities to Assume a Limited General Obligation for the Payment of the Cost of Local Improvements; Providing for the Levy and Collection of General Taxes to Meet Such Limited Obligation; Limiting the Amount of Taxes to Be Levied in any One Year; Creating a Trust Fund; Providing That the Act Operate Prospectively Only; Repealing Paragraph (g) of Subdivision 2 of Section 21-0306; Section 21-0325 and Section 40-2608 of the North Dakota Revised Code of 1943, and All Other Acts in Conflict Therewith.

Received from Senate, 729.  
First reading, 737.  
Referred to Committee on Cities and Municipal Corporations.  
Reported back, 958.  
Indefinitely postponed, 958.  
Returned to Senate, 1030.

**Senate Bill No. 104**

Senate Bill No. 104. A Bill for an Act Authorizing the State Highway Department to Maintain, Repair, Operate and Rent the Bridge Belonging to the Great Northern Railway Company Across the Yellowstone River in McKenzie County, North Dakota.

Received from Senate, 358.  
First reading, 411.  
Referred to Committee on Highways and Bridges.  
Second reading, 766.  
Passed, 766.  
Returned to Senate, 775, 883.  
Returned by Senate, 874.  
Signed by Speaker, 877.

**Senate Bill No. 105.**

Senate Bill No. 105. A Bill for an Act to Authorize the Insurance Commissioner of the State of North Dakota to Permit Certain Associations of Individuals to Transact In-

insurance Other Than Life in the State of North Dakota, and Providing Certain Requirements With Reference Thereto, and Providing Such Associations of Individuals Shall Comply With Section 26-1423 of the North Dakota Revised Code of 1943, as Far as the Same Is Applicable.

Received from Senate, 729.  
 First reading, 737.  
 Referred to Committee on Insurance.  
 Reported back, 889.  
 Second reading, 962, 1040.  
 Indefinitely postponed, 962.  
 Action reconsidered, 1010.  
 Passed, 1040.  
 Returned to Senate, 1046, 1214.  
 Returned by Senate, 1213.  
 Signed by Speaker, 1213.

**Senate Bill No. 106**

Senate Bill No. 106. A Bill for an Act Repealing Chapter 1 of the Authenticated Edition of the Special Session Laws of 1944 Relating to Suspending Sale of State and County Lands, and Declaring an Emergency.

Received from Senate, 380.  
 First reading, 412.  
 Referred to Committee on School and Public Lands.  
 Reported back, 543.  
 Second reading, 772.  
 Passed, 772.  
 Returned to Senate, 776, 884.  
 Returned by Senate, 874.  
 Signed by Speaker, 877.

**Senate Bill No. 107**

Senate Bill No. 107. A Bill for an Act Providing for the Retirement of Employees of State Charitable or Penal Institutions, Fixing the Retirement Pay and Providing for Biennial Budget.

Received from Senate, 336.  
 First reading, 342.  
 Referred to Committee on State Affairs.  
 Reported back, 376.  
 Indefinitely postponed, 509.  
 Returned to Senate, 546.

**Senate Bill No. 108.**

Senate Bill No. 108. A Bill for an Act to Amend and Re-enact Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking.

Received from Senate, 336.  
 First reading, 342.  
 Referred to Committee on Ways and Means.  
 Reported back, 418.  
 Indefinitely postponed, 418.  
 Returned to Senate, 441.

**Senate Bill No. 109**

Senate Bill No. 109. A Bill for an Act Providing for the Issuance of State Licenses by the Attorney General of the

State of North Dakota to Retailers of Alcohol and Alcoholic Beverages. Providing Certain Qualifications for Applicants for Retail Licenses Authorizing the Sale of Beer, Alcohol and Alcoholic Beverages, Making Unlawful the Commission of Certain Acts by Retail Licensees, Providing for the Suspension or Revocation of Such Licenses by the Attorney General, for the Enforcement of the Provisions Hereof Relating to the Manufacture and Sale of Beer, Alcohol and Alcoholic Beverages, Providing an Appropriation for the Costs and Expenses Incident to the Enforcement of the Provisions Hereof, Providing Penalties for Violations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Received from Senate, 739.

First reading, 740.

Referred to Committee on Temperance.

Reported back, 870.

Second reading, 967.

Passed, 967.

Returned to Senate, 990, 1188

Returned by Senate, 1168.

Signed by Speaker, 1185.

#### Senate Bill No. 110

Senate Bill No. 110. A Bill for an Act Relating to Contracts of the State, Its Agencies, Municipalities and Other Political Sub-divisions with the Federal Government for the Purchase of Equipment, Supplies, Materials, or Other Property; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Received from Senate, 358.

First reading, 412.

Referred to Committee on Federal Relations.

Reported back, 874.

Second reading, 954.

Passed, 954.

Returned to Senate, 1011, 1209.

Returned by Senate, 1205.

Signed by Speaker, 1207.

#### Senate Bill No. 112

Senate Bill No. 112. A Bill for an Act to Amend and Re-enact Section 44-0409 of the Revised Codes of North Dakota for 1943 for the Prevention of Nepotism and Prohibiting the Appointment by the Head of Any Executive or Administrative Department of This State, or of His or Her Wife or Husband, Son or Daughter, Brother or Sister, to Any Position in Said Department or Under the Control of Such Department Head; Providing Penalties Therefor; and Declaring an Emergency.

Received from Senate, 359.

First reading, 412.

Referred to Committee on State Affairs.

Reported back, 543.

Indefinitely postponed, 543.

Returned to Senate, 632.

#### Senate Bill No. 115

Senate Bill No. 115. A Bill for an Act Establishing a North Dakota State Medical Center at the University of

North Dakota, Defining Its Functions and Providing for Its Management and Control; Providing for Cooperation in Its Program by All State, County and Municipal, Health and Welfare Agencies; and Providing for the Acceptance of Any Funds, Supplies, and Equipment Which May Be Made Available to This State for Building Construction, Hospital Services, Goods and Services from Agencies of the Federal Government, Private Agencies or Foundations.

Received from Senate, 494.

First reading, 500.

Referred to Committee on State Affairs.

Reported back, 743, 927.

Amended, 927.

Re-referred to Committee on State Affairs, 760.

Second reading, 1023.

Passed, 1024.

Returned to Senate, 1063, 1209.

Returned by Senate, 1205.

Senate action, 1067.

Signed by Speaker, 1207.

#### Senate Bill No. 116

Senate Bill No. 116. A Bill for an Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

Received from Senate, 494.

First reading, 500.

Referred to Committee on Public Health.

Reported back, 753.

Second reading, 797.

Passed, 797.

Returned to Senate, 819, 934.

Returned by Senate, 929.

Signed by Speaker, 930.

#### Senate Bill No. 117

Senate Bill No. 117. A Bill for an Act Requiring All Embalmers, Undertakers, and Coffin-sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

Received from Senate, 494.

First reading, 499.

Referred to Committee on Public Health.

Reported back, 753.

Second reading, 797.

Passed, 797.

Returned to Senate, 819, 934.

Returned by Senate, 929.

Signed by Speaker, 931.

#### Senate Bill No. 120

Senate Bill No. 120. A Bill for an Act Authorizing Boards of Education and School Boards of the School Districts in This State to Offer a Reward for Information Leading to the Apprehension and Conviction of Any Person or Persons Appropriating or Destroying School Property.

Received from Senate 424.

First reading, 425.

Referred to Committee on Education.  
Reported back, 926.  
Second reading, 1014.  
Passed, 1015.  
Returned to Senate, 1074, 1188.  
Returned by Senate, 1166.  
Signed by Speaker, 1186.

**Senate Bill No. 122**

Senate Bill No. 122. A Bill for an Act to Ratify and Approve the Compact Between the States of Montana, North Dakota and Wyoming, Providing for an Equitable Apportionment of the Waters in the Yellowstone River Basin Among Said States.

Received from Senate, 601.  
First reading, 606.  
Referred to Committee on Drainage and Irrigation.  
Reported back, 753.  
Amended, 753.  
Second reading, 796.  
Passed, 796.  
Returned to Senate, 811, 1076, 1209.  
Returned by Senate, 1033, 1205.  
Senate action, 826.  
Signed by Speaker, 1207.

**Senate Bill No. 123**

Senate Bill No. 123. A Bill for an Act Making an Appropriation to Pay the Legislative Deficit of the 1944 Special Session, and Declaring an Emergency.

Received from Senate, 359.  
First reading, 412.  
Referred to Committee on Appropriations.  
Reported back, 757.  
Indefinitely postponed, 757.  
Returned to Senate, 763.

**Senate Bill No. 124**

Senate Bill No. 124. A Bill for an Act Amending and Re-enacting Section 39-0307 of the North Dakota Revised Code of 1943, Fixing the Salary of the Superintendent, Assistant Superintendent and the Highway Patrolmen; Declaring an Emergency.

Received from Senate, 359.  
First reading, 412.  
Referred to Committee on Appropriations.  
Reported back, 778.  
Amended, 844.  
Second reading, 843.  
Passed, 843.  
Other action, 937.  
Returned to Senate, 873, 896, 1209.  
Returned by Senate, 895, 1205.  
Signed by Speaker, 1207.

**Senate Bill No. 125**

Senate Bill No. 125. A Bill for an Act to Amend and Re-enact Section 24-0207 and Section 24-0214 of the Revised



Code of North Dakota for 1943, Relating to the Payment of Expenses of Employees and to the Qualifications and Compensation of the Chief Engineer of the State Highway Department.

Received from Senate, 473.  
First reading, 483.  
Referred to Committee on State Affairs.  
Reported back, 543.  
Second reading, 744.  
Passed, 745.  
Returned to Senate, 751, 884.  
Returned by Senate, 874.  
Signed by Speaker, 877.

**Senate Bill No. 126**

Senate Bill No. 126. A Bill for an Act to Amend and Re-enact Section 40-5107 of the North Dakota Revised Code of 1943 Providing the Method of Extending the Boundaries of Cities to Increase the Territory Within the Corporate Limits, and Declaring an Emergency.

Received from Senate, 709.  
First reading, 734.  
Referred to Committee on Cities and Municipal Corporations.  
Reported back, 958.  
Second reading, 1077.  
Passed, 1077.  
Returned to Senate, 1088, 1209.  
Returned by Senate, 1205.  
Signed by Speaker, 1207.

**Senate Bill No. 127**

Senate Bill No. 127. A Bill for an Act Requiring All Insurance Companies Licensed to Do Business in North Dakota to Permit the Insured to Consult or Employ Any Doctor of His choice Who is Licensed in North Dakota, and Requiring All Such Insurance Companies to Recognize the Signature of Such Licensed Practitioner.

Received from Senate, 494.  
First reading, 499.  
Referred to Committee on Insurance.  
Reported back, 839.  
Second reading, 960.  
Passed, 960.  
Returned to Senate, 990, 1188.  
Returned by Senate, 1166.  
Signed by Speaker, 1186.

**Senate Bill No. 128**

Senate Bill No. 128. A Bill for an Act to Amend and Re-enact Section 57-3710 of North Dakota Revised Code of 1943 Pertaining to Proceeds from Life Insurance Policies of a Decedent.

Received from Senate, 473.  
First reading, 483.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 760.  
Amended, 760.

Second reading, 806, 919.  
Passed, 807, 919.  
Other action, 918.  
Conference Committees, 825, 826, 828.  
Returned to Senate, 820, 921, 1080.  
Returned by Senate, 1033.  
Senate action, 825, 996.  
Signed by Speaker, 1075.

**Senate Bill No. 129**

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 30-0210 of the North Dakota Revised Code of 1943 Providing the Method for Service of Citation by Publication in County Court, and Declaring an Emergency.

Received from Senate, 473.  
First reading, 484.  
Referred to Committee on Judiciary.  
Reported back, 781.  
Second reading, 854, 1039.  
Lost, 854.  
Reconsidered, 929, 930.  
Return requested, 931.  
Passed, 1039.  
Returned to Senate, 881, 1047, 1209.  
Returned by Senate, 937, 1205.  
Signed by Speaker, 1207.

**Senate Bill No. 130**

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 57-3838 of North Dakota Revised Code of 1943, Pertaining to Audit of Returns and Assessment of Additional Tax; Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 413.  
First reading, 414.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 759.  
Second reading, 805.  
Passed, 806.  
Returned to Senate, 819, 934.  
Returned by Senate, 929.  
Signed by Speaker, 931.

**Senate Bill No. 131**

Senate Bill No. 131. A Bill for an Act Prohibiting the Sale of Beer, Alcohol and Alcoholic Beverages Between the Hours of 1:00 o'Clock A. M., and 8:00 o'Clock A. M.; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Received from Senate, 526.  
First reading, 532.  
Referred to Committee on Temperance.  
Reported back, 778.  
Second reading, 831.  
Passed, 831.  
Returned to Senate, 871, 1014.  
Returned by Senate, 995.  
Signed by Speaker, 1012.

**Senate Bill No. 132**

Senate Bill No. 132. A Bill for an Act to Amend and Re-enact Section 53-0611 of the North Dakota Revised Code of 1943 Relating to Fines and Penalties.

Received from Senate, 424.  
First reading, 425.  
Referred to Committee on Temperance.  
Reported back, 870.  
Amended, 968.  
Second reading, 968.  
Passed, 968.  
Returned to Senate, 989, 1209.  
Returned by Senate, 1206.  
Senate action, 1067.  
Signed by Speaker, 1207.

**Senate Bill No. 133**

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Section 40-4101 of the North Dakota Revised Code of 1943 Providing for the Membership of Boards of Budget Review, and Declaring an Emergency.

Received from Senate, 413.  
First reading, 414.  
Referred to Committee on Cities and Municipal Corporations.  
Reported back, 447.  
Second reading, 821.  
Passed, 822.  
Returned to Senate, 871, 1080.  
Returned by Senate, 1033.  
Signed by Speaker, 1075.

**Senate Bill No. 134**

Senate Bill No. 134. A Bill for an Act Repealing Section 57-3841 of the North Dakota Revised Code of 1943 Relating to Appeals from the Determination of the Tax Commissioner to Any Court.

Received from Senate, 424.  
First reading, 425.  
Referred to Committee on Judiciary.  
Reported back, 781.  
Second reading, 852.  
Passed, 852.  
Other action, 937.  
Returned to Senate, 871, 1014.  
Returned by Senate, 995.  
Signed by Speaker, 1012.

**Senate Bill No. 135**

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 39-0453 of the North Dakota Revised Code of 1943 Relating to License Required by Certain Motor Vehicles, and Declaring an Emergency.

Received from Senate, 663.  
First reading, 736.  
Referred to Committee on Highways and Bridges.  
Reported back, 813.  
Amended, 813.

Second reading, 922.  
Passed, 923.  
Returned to Senate, 924, 1188.  
Returned by Senate, 1166.  
Signed by Speaker, 1186.

**Senate Bill No. 139**

Senate Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 28-0212 and 28-0213 of the North Dakota Revised Code of 1943, Relating to Continuance of Actions and Procedure in Case of Death or Other Disability of a Party, and Relating to Procedure in Case of Death of One or More Plaintiffs or Defendants.

Received from Senate, 473.  
First reading, 484.  
Referred to Committee on Judiciary.  
Reported back, 991.  
Indefinitely postponed, 991.  
Returned to Senate, 1073.

**Senate Bill No. 140**

Senate Bill No. 140. A Bill for an Act Amending and Re-enacting Section 15-3206 of the North Dakota Revised Code of 1943, Relating to Meetings of the Board of Education in Independent School Districts.

Received from Senate, 424.  
First reading, 425.  
Referred to Committee on Education.  
Reported back, 927.  
Second reading, 1017.  
Passed, 1017.  
Returned to Senate, 1074, 1188.  
Returned by Senate, 1166.  
Signed by Speaker, 1186.

**Senate Bill No. 141**

Senate Bill No. 141. A Bill for an Act Providing That Appeal from a Decision of the State Highway Commissioner or the Board of County Commissioners in Highway Condemnation Proceedings Shall Not Stay Condemnation Proceedings.

Received from Senate, 556.  
First reading, 560.  
Referred to Committee on Judiciary.  
Reported back, 783.  
Second reading, 861.  
Passed, 861.  
Returned to Senate, 871, 1014.  
Returned by Senate, 995.  
Signed by Speaker, 1012.

**Senate Bill No. 142**

Senate Bill No. 142. A Bill for an Act Authorizing the State Highway Commissioner to Purchase Equipment, Materials and Supplies from the United States Government, or Its Officers, Agents, Agencies, or Corporations, Without Com-

**pliance with the Provisions of 24-0219 of the North Dakota Revised Code of 1943.**

Received from Senate, 526.  
 First reading, 532.  
 Referred to Committee on Ways and Means.  
 Reported back, 935.  
 Second reading, 1021.  
 Passed, 1021.  
 Returned to Senate, 1074, 1188.  
 Returned by Senate, 1166.  
 Signed by Speaker, 1186.

**Senate Bill No. 144**

Senate Bill No. 144. A Bill for an Act Transferring Sixty Thousand Dollars (\$60,000) from the Attorney General's Licensing Fund to the General Fund of the State.

Received from Senate, 413.  
 First reading, 414.  
 Referred to Committee on Appropriations.  
 Reported back, 778.  
 Second reading, 832.  
 Passed, 832.  
 Returned to Senate, 880, 1014.  
 Returned by Senate, 995.  
 Signed by Speaker, 1012.

**Senate Bill No. 145**

Senate Bill No. 145. A Bill for an Act Transferring One Thousand Seven Hundred Twenty-five Dollars and Forty-nine Cents (\$1725.49) from the Bank of North Dakota Bond Payment Fund to the General Fund of the State.

Received from Senate, 359.  
 First reading, 412.  
 Referred to Committee on Appropriations.  
 Second reading, 946.  
 Passed, 946.  
 Returned to Senate, 1011, 1188.  
 Returned by Senate, 1166.  
 Signed by Speaker, 1186.

**Senate Bill No. 146**

Senate Bill No. 146. A Bill for an Act to Amend and Re-enact Section 4-1013 of the North Dakota Revised Code of 1943 Relative to Fees for Making Grade Inspections.

Received from Senate, 474.  
 First reading, 484.  
 Referred to Committee on Agriculture.  
 Reported back, 777.  
 Amended, 777.  
 General Orders, 835.  
 Second reading, 865, 925, 1138.  
 Passed, 865, 925, 1138.  
 Other action, 924, 928, 937, 1031, 1102.  
 Conference Committees, 895, 896, 1008, 1026, 1138, 1139.  
 Returned to Senate, 873, 905, 928, 1104, 1210.  
 Return requested, 997.  
 Returned by Senate, 1206.

Senate action, refused concur, 895.  
Action reconsidered, 1008.  
Signed by Speaker, 1207.

**Senate Bill No. 149**

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Section 57-1605 of the North Dakota Revised Code of 1943, Relating to the Vote Necessary for the Approval of Excess Levies in School Districts; and Declaring an Emergency.

Received from Senate, 526.  
First reading, 532.  
Referred to Committee on Education.  
Reported back, 926.  
Indefinitely postponed, 926.  
Returned to Senate, 1029.

**Senate Bill No. 150**

Senate Bill No. 150. A Bill for an Act to Fix the Standard Weight of Containers for Wheat and Corn Flours, Corn Meals, Hominy, and Hominy Grits; and to Provide Penalties for the Violation of This Act.

Received from Senate, 556.  
First reading, 560.  
Referred to Committee on State Affairs.  
Reported back, 744.  
Amended, 744.  
Second reading, 771.  
Passed, 771.  
Returned to Senate, 775, 934.  
Returned by Senate, 929.  
Senate action, 826.  
Signed by Speaker, 931.

**Senate Bill No. 151**

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 57-1705 of the North Dakota Revised Code of 1943, Relating to the Vote Required to Grant Authority for Excess Levies in Counties, Municipalities and Townships; Providing That Such Excess Levy May Be for Five Years; and Declaring an Emergency.

Received from Senate, 663.  
First reading, 736.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 886.  
Indefinitely postponed, 886.  
Returned to Senate, 891.

**Senate Bill No. 152**

Senate Bill No. 152. A Bill for an Act to Provide for the Disposition of Any Unclaimed Funds in the Custody of Any Court, Public Officer, or Administrative Agency; and Declaring an Emergency.

Received from Senate, 494.  
First reading, 499.  
Referred to Committee on Judiciary.

Reported back, 781.  
Second reading, 850.  
Passed, 850.  
Returned to Senate, 879, 1014.  
Returned by Senate, 995.  
Signed by Speaker, 1012.

**Senate Bill No. 154**

Senate Bill No. 154. A Bill for an Act Amending and Re-enacting Section 57-3724 of the North Dakota Revised Code of 1943, Relating to Collections of Tax, and Refunds Therefrom.

Received from Senate, 424.  
First reading, 425.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 759.  
Amended, 759.  
Second reading, 805.  
Passed, 805.  
Returned to Senate, 820, 934.  
Returned by Senate, 929.  
Senate action, 826.  
Signed by Speaker, 931.

**Senate Bill No. 155**

Senate Bill No. 155. A Bill for an Act to Permit a Levy of Three Mills for Airport Purposes, in Excess of All Other Levies Permitted by Law.

Received from Senate, 601.  
First reading, 606.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 886.  
Second reading, 959.  
Passed, 959.  
Returned to Senate, 990, 1188.  
Returned by Senate, 1166.  
Signed by Speaker, 1186.

**Senate Bill No. 156**

Senate Bill No. 156. A Bill for an Act to Provide for the Gravel Surfacing of Streets in Cities and for the Payment Therefor Through Special Assessments Against the Property Benefited.

Received from Senate, 729.  
First reading, 738.  
Referred to Committee on Cities and Municipal Corporations.  
Reported back, 958.  
Second reading, 1076.  
Passed, 1076.  
Returned to Senate, 1088, 1210.  
Returned by Senate, 1206.  
Signed by Speaker, 1208.

**Senate Bill No. 161**

Senate Bill No. 161. A Bill for an Act to Require Operators of Coal Mines Located Within the State of North Dakota to Furnish and Deliver Coal to Farmers, Truckers and Other

**Persons, Whenever Such Farmers, Truckers, or Other Persons Call for Coal at the Mines; Providing for Penalties and Declaring an Emergency.**

Received from Senate, 424.  
 First reading, 425.  
 Referred to Committee on Mines and Mining.  
 Reported back, 889.  
 Indefinitely postponed, 889.  
 Returned to Senate, 891.

**Senate Bill No. 163**

**Senate Bill No. 163. A Bill for an Act to Amend and Re-enact Section 16-1712 of the North Dakota Revised Code of 1943, Relating to the Selection of Delegate to State Committee When Two or More Counties Embraced in Legislative District.**

Received from Senate, 729.  
 First reading, 737.  
 Referred to Committee on Election and Election Privileges.  
 Reported back, divided report, 890.  
 Indefinitely postponed, 890.  
 Returned to Senate, 891.

**Senate Bill No. 165**

**Senate Bill No. 165. A Bill for an Act Establishing the First Friday in May of Each Year as Arbor Day for the State of North Dakota, and Creating an Emergency.**

Received from Senate, 495.  
 First reading, 499.  
 Referred to Committee on State Affairs.  
 Reported back, 543.  
 Amended, 543.  
 Second reading, 746.  
 Passed, 746.  
 Returned to Senate, 751, 884.  
 Returned by Senate, 875.  
 Senate action, 753.  
 Signed by Speaker, 877.

**Senate Bill No. 167**

**Senate Bill No. 167. A Bill for an Act to Amend and Re-enact Sub-section 10 of Section 7-0208 of the North Dakota Revised Code of 1943, Relating to Loans and Investments of Building and Loan Associations, and Declaring an Emergency.**

Received from Senate, 601.  
 First reading, 606.  
 Referred to Committee on Banks and Banking.  
 Reported back, 874.  
 Second reading, 952.  
 Passed, 952.  
 Returned to Senate, 990, 1210.  
 Returned by Senate, 1206.  
 Signed by Speaker, 1208.

**Senate Bill No. 168**

**Senate Bill No. 168. A Bill for an Act Relating to Loans and Investments of Banks, Building and Loan Associations,**



Insurance Companies and Other Organizations of This State Authorized to Make Mortgage Loans and Whose Mortgage Lending Is Regulated by Law and Insured or Guaranteed in Whole or Part by the United States or any Instrumentality Thereof, or by This State or Any Instrumentality Thereof, and Declaring an Emergency.

Received from Senate, 495.

First reading, 498.

Referred to Committee on Banks and Banking.

Reported back, 991.

Amended, 991.

Second reading, 1083.

Passed, 1083.

Other action, 1107.

Returned to Senate, 1087, 1210.

Returned by Senate, 1206.

Signed by Speaker, 1208.

#### Senate Bill No. 173

Senate Bill No. 173. A Bill for an Act Creating an Aeronautics Division in the Public Service Commission for the Promotion and Development of Aviation, Air Commerce, and the Establishment of an Adequate System of Airways and Airports Within This State; Providing for the Appointment by the Governor of a Committee of Aeronautics Consisting of Five Members, One of Whom Shall Be a Member of the Public Service Commission; Declaring the Public Policy; Prescribing Powers and Duties of Aeronautics Committee; Authorizing Cooperation with Federal Agencies and Municipalities; Providing for Federal Aid; Conferring Power to Receive and Disburse Federal Aid and Other Funds; Providing for Organization of Committee, Meetings, Reports, and Compensation; Authorizing Appointment of Director of Aeronautics; Making an Appropriation; and Declaring an Emergency.

Received from Senate, 495. -

First reading, 498.

Referred to Committee on Ways and Means.

Reported back, 935, 991.

Amended, 935.

Re-referred to Committee on Appropriations, 935.

Second reading, 1042.

Passed, 1042.

Returned to Senate, 1046, 1210.

Returned by Senate, 1206.

Senate action, 1067.

Signed by Speaker, 1208.

#### Senate Bill No. 175

Senate Bill No. 175. A Bill for an Act Authorizing the State, Any of Its Departments, Boards, Bureaus or Commissions, by and with the Approval of the Governor, and Counties, Cities, Villages, Park Districts, School Districts and Townships to Make Loans or to Accept Advances from the Federal Government, Any Agency or Instrumentality Thereof, for the Purpose of Aiding in Financing the Cost of Architectural, Engineering, and Economic Investigations and Studies, Surveys, Designs, Plans, Working Drawings,

Specifications, Procedures, and Other Actions Preliminary to the Construction of Public Works and Improvements Under Certain Conditions; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Received from Senate, 663.  
 First reading, 735.  
 Referred to Committee on Federal Relations.  
 Reported back, 874.  
 Second reading, 953.  
 Passed, 953.  
 Returned to Senate, 1011, 1188.  
 Returned by Senate, 1166.  
 Signed by Speaker, 1186.

#### Senate Bill No. 176

Senate Bill No. 176. A Bill for an Act Relating to the Status of Officers and Employees of the State and Political Sub-divisions in Active Non-civilian Service; Providing for the Reinstatement of Such Persons to the Positions Held by Them; Repealing Section 37-0125 of the North Dakota Revised Code of 1943 and All Acts or Parts of Acts in Conflict with This Act; Providing Penalties for the Violation of This Act; and Declaring an Emergency.

Received from Senate, 709.  
 First reading, 734.  
 Referred to Committee on Veterans and Military Affairs.  
 Reported back, 785.  
 Second reading, 863.  
 Passed, 863.  
 Returned to Senate, 879, 1076, 1210.  
 Returned by Senate, 1032.  
 Senate action, 1206.  
 Signed by Speaker, 1208.

#### Senate Bill No. 177

Senate Bill No. 177. A Bill for an Act Authorizing Counties in Which Are Located Cities Having a Population in Excess of 3000 and Cities Having a Population in Excess of 3000 to Levy a Tax for the Purpose of Advertising the Resources and Processing Opportunities in North Dakota and Promoting the Industrial Development Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 495.  
 First reading, 499.  
 Referred to Committee on State Affairs.  
 Reported back, 743.  
 Second reading, 768.  
 Passed, 768.  
 Returned to Senate, 776, 884.  
 Returned by Senate, 875.  
 Signed by Speaker, 877.

#### Senate Bill No. 178

Senate Bill No. 178. A Bill for an Act to Amend and Re-enact Section 57-4510 of the North Dakota Revised Code of 1943 Providing for Tender of Unpaid Taxes in Any Action to Test the Validity of Any Tax Deed and Providing for Refund to Purchaser in the Event of an Adverse Decision.

Received from Senate, 495.  
First reading, 499.  
Referred to Committee on Judiciary.  
Reported back, 782.  
Amended, 858.  
Second reading, 857.  
Passed, 857.  
Returned to Senate, 872, 1080.  
Returned by Senate, 1032.  
Signed by Speaker, 1075.

**Senate Bill No. 179**

Senate Bill No. 179. A Bill for an Act to Amend and Re-enact Section 61-0915 of the North Dakota Revised Code of 1943, Relating to Assessments by Irrigation Districts, and to the Powers of District Courts Involving the Validity of Such Assessments, and of Tax Certificates, and Tax Deeds Based Upon Such Assessments, and Declaring an Emergency.

Received from Senate, 556.  
First reading, 560.  
Referred to Committee on Judiciary.  
Reported back, 781.  
Amended, 781.  
Second reading, 851.  
Passed, 851.  
Returned to Senate, 872, 1080.  
Returned by Senate, 1032.  
Senate action, concur, 895.  
Signed by Speaker, 1075.

**Senate Bill No. 181**

Senate Bill No. 181. A Bill for an Act Amending and Re-enacting Section 20-1401, of the North Dakota Revised Code of 1943, Relating to Bounty Payable for Magpies and Crows Killed in State; Making an Appropriation.

Received from Senate, 601.  
First reading, 606.  
Referred to Committee on Game and Fish.  
Reported back, 811.  
Second reading, 909.  
Passed, 909.  
Returned to Senate, 933, 1080.  
Returned by Senate, 1033.  
Signed by Speaker, 1075.

**Senate Bill No. 182**

Senate Bill No. 182. A Bill for an Act to Amend and Re-Enact Subsection 17 of Section 52-0101 of the North Dakota Revised Code of 1943 Defining the Term "Agricultural Labor" in the Unemployment Compensation Law, and Declaring an Emergency.

Received from Senate, 557.  
First reading, 561.  
Referred to Committee on State Affairs.  
Reported back, 744.  
Second reading, 770.

Passed, 770.  
Returned to Senate, 776, 884.  
Returned by Senate, 875.  
Signed by Speaker, 877.

**Senate Bill No. 186**

Senate Bill No. 186. A Bill for an Act Amending and Re-enacting Section 49-1810, of The North Dakota Revised Code of 1943, Relating to Special Common Motor Carriers; Restrictions.

Received from Senate, 663.  
First reading, 735.  
Referred to Committee on Highways and Bridges.  
Reported back, 812.  
Amended, 812.  
Second reading, 922.  
Passed, 922.  
Other action, 937.  
Returned to Senate, 924, 1080.  
Returned by Senate, 1033.  
Signed by Speaker, 1075.

**Senate Bill No. 188**

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 39-0619 of the Revised Code of North Dakota for 1943, Relating to Duty of Court Upon Conviction of Licensee.

Received from Senate, 557.  
First reading, 561.  
Referred to Committee on Judiciary.  
Reported back, 782.  
Second reading, 856.  
Passed, 856.  
Returned to Senate, 871, 912, 1080.  
House request return, 879.  
Returned by Senate, 895, 1033.  
Signed by Speaker, 1075.

**Senate Bill No. 189**

Senate Bill No. 189. A Bill for an Act to Amend and Re-enact Section 4-1703 of the North Dakota Revised Code of 1943, Pertaining to the Duties of the State Dairy Commissioner and Adding Thereto the Duty to Enforce the Oleomargarine Law, the Imitation Ice Cream Law, and the Egg Law of the State of North Dakota, and the Right to Exercise the Powers Therein Provided and to Repeal Section 19-0211 of the North Dakota Revised Code of 1943, and Any Other Acts or Parts of Acts Insofar as They Conflict Herewith.

Received from Senate, 663.  
First reading, 735.  
Referred to Committee on Livestock.  
Reported back, 874.  
Amended, 970.  
Second reading, 970, 1035.  
Passed, 971.  
Reconsidered, 1008.  
Lost, 1036.

Returned to Senate, 989, 1073.  
Return requested, 1009, 1010.  
Returned by Senate, 1018.  
Action reconsidered, 1025.

**Senate Bill No. 190**

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 26-2423 and Section 26-2424 and to Repeal Section 26-2425 of the North Dakota Revised Code of 1943 Relating to Catastrophe Insurance.

Received from Senate, 661.  
First reading, 734.  
Referred to Committee on Insurance.  
Reported back, 889.  
Second reading, 973.  
Passed, 973.  
Returned to Senate, 990, 1189.  
Returned by Senate, 1166.  
Signed by Speaker, 1186.

**Senate Bill No. 192**

Senate Bill No. 192. A Bill for an Act to Amend and Re-enact Paragraph G of Sub-section 15 of Section 52-0101 of the North Dakota Revised Code of 1943 Relating to Governmental Employees Under the Social Security Act.

Received from Senate, 661.  
First reading, 734.  
Referred to Committee on Public Welfare.  
Re-referred to Committee on State Affairs, 760.  
Reported back, 808.  
Amended, 808.  
Second reading, 907, 1036.  
Lost, 907.  
Reconsidered, 928.  
Passed, 1037.  
Returned to Senate, 1046, 1214.  
Returned by Senate, 1213.  
Senate action, 1067.  
Signed by Speaker, 1213.

**Senate Bill No. 193**

Senate Bill No. 193. A Bill for an Act Requiring Reports to the State Auditor of Sales of Tractor Fuel as Defined in Sections 19-1001 and 19-1011 of the North Dakota Revised Code of 1943.

Received from Senate, 601.  
First reading, 606.  
Referred to Committee on State Affairs.  
Reported back, 750.  
Indefinitely postponed, 750.  
Returned to Senate, 819.

**Senate Bill No. 194**

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Subsection B. of Paragraph 4 of Section 57-3822 of the

North Dakota Revised Code of 1943 Relating to Deductions Allowed in Computing Net Income; to Amend and Re-enact Section 57-3826 of the North Dakota Revised Code of 1943 Relating to Exemptions for Individuals; to Amend and Re-enact Section 57-3829 of the North Dakota Revised Code of 1943 Relating to Rate of Income Tax on Individuals; Providing for the Recognition of Fifty Percent of Capital Gains and Losses in Computing Income for Income Tax Purposes; and Declaring an Emergency.

Received from Senate, 739.  
 First reading, 740.  
 Referred to Committee on Tax and Tax Laws.  
 Reported back, 889.  
 Amended, 889.  
 General Orders, 942.  
 Second reading, 1043.  
 Passed, 1044.  
 Other action, 1089, 1098, 1102.  
 Conference Committee, 1073.  
 Returned to Senate, 1046, 1210.  
 Returned by Senate, 1206.  
 Senate action, 1073.  
 Signed by Speaker, 1208.

#### Senate Bill No. 196

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Sections 32-3101, 32-3103 and 32-3106 of the North Dakota Revised Code of 1943, Providing That District Courts Shall Have Jurisdiction in the Forcellosure of Tax Liens Upon Real Property, Prescribing the Procedure in Such Cases; Providing That Such Remedy Shall Be Cumulative, and Declaring an Emergency.

Received from Senate, 661.  
 First reading, 735.  
 Referred to Committee on Judiciary.  
 Reported back, 781.  
 Second reading, 853.  
 Passed, 854.  
 Returned to Senate, 879, 1076, 1211.  
 Returned by Senate, 1033.  
 Senate action, 1207.  
 Signed by Speaker, 1208.

#### Senate Bill No. 197

Senate Bill No. 197. A Bill for an Act to Amend and Re-enact Section 57-1604 and Section 57-1606 of the North Dakota Revised Code of 1943 Relating to Elections to Authorize Excess Levies and Providing the Form of Ballot in School District Elections.

Received from Senate, 662.  
 First reading, 735.  
 Referred to Committee on Tax and Tax Laws.  
 Reported back, 886.  
 Indefinitely postponed, 886.  
 Returned to Senate, 891.

**Senate Bill No. 198**

Senate Bill No. 198. A Bill for an Act Amending and Re-enacting Section 20-0104, of the North Dakota Revised Code of 1943, Relating to Unauthorized Methods of Taking Game Birds and Game Animals; Section 20-0201, of the North Dakota Revised Code of 1943, Relating to State Game and Fish Commissioner: Office to Be Maintained; Appointment; Term; Removal; Section 20-0203, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Commissioner; Audit and Payment; Section 20-0204, of the North Dakota Revised Code of 1943, Relating to Duties of Commissioner; Section 20-0205, of the North Dakota Revised Code of 1943, Relating to Powers of Commissioner; Section 20-0207, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Deputy Commissioner; Audit and Payment; Section 20-0209, of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of Chief Game Warden; Section 20-0211, of the North Dakota Revised Code of 1943, Relating to District Deputy Game Wardens; Appointment; Removal; Bond; Section 20-0302, of the North Dakota Revised Code of 1943, Relating to License to Hunt, Fish, or Trap Not Required of Residents; When; Exceptions; Section 20-0310, of the North Dakota Revised Code of 1943, Relating to License to Hunt Big Game Required; Penalty; Section 20-0315, of the North Dakota Revised Code of 1943, Relating to Rights Granted by Commercial Fishing License; Subsection 1 of Section 20-0325, of the North Dakota Revised Code of 1943, Relating to Buying or Shipping Green Furs; License Required; Expiration of License; Fees; Disposition of Fees; Section 20-0402, of the North Dakota Revised Code of 1943, Relating to Statutory Season for Hunting Game Birds; Subject to Change by Proclamation; Section 20-0404, of the North Dakota Revised Code of 1943, Relating to Possession of Limit of Game Birds; Section 20-0501, of the North Dakota Revised Code of 1943, Relating to Big Game Animals Protected; Section 20-0507, of the North Dakota Revised Code of 1943, Relating to Seals to Be Attached to Carcasses of Big Game Animals; When; Commissioner to Furnish Seals; Section 20-0601, of the North Dakota Revised Code of 1943, Relating to Fish Which Are Protected; Section 20-0605, of the North Dakota Revised Code of North Dakota for 1943, Relating to Size of Protected Fish That May Be Taken; Small Fish to Be Returned Unharmed; Penalty; Section 20-0701, of the North Dakota Revised Code of 1943, Relating to Property Rights; Wild Fur-bearing Animals; Section 20-0403, of the North Dakota Revised Code of 1943, Relating to Bag Limits on Game Birds; Section 20-0212 of the North Dakota Revised Code of 1943, Relating to Compensation and Expenses of District Deputy Game Wardens; Section 20-0217 of the North Dakota Revised Code of 1943, Relating to Police Powers of Commissioner; Repealing All Acts or Parts of Acts in Conflict Herewith; and Providing a Saving Clause.

Received from Senate, 710.

First reading, 733.

Referred to Committee on Game and Fish.

Reported back, 927.

Amended, 927.

Return requested, 931.

Returned to Senate, 945.

**Senate Bill No. 199**

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 57-4101 of the North Dakota Revised Code of 1943, Relating to the Definition of Motor Vehicle Fuels.

Received from Senate, 601.  
First reading, 606.  
Referred to Committee on State Affairs.  
Reported back, 812.  
Indefinitely postponed, 812.  
Returned to Senate, 881.

**Senate Bill No. 201**

Senate Bill No. 201. A Bill for an Act Providing for the Payment of Expenses to Commissioners of the Public Service Commission, and Declaring an Emergency.

Received from Senate, 495.  
First reading, 499.  
Referred to Committee on Appropriations.  
Reported back, 753.  
Indefinitely postponed, 753.  
Returned to Senate, 763.

**Senate Bill No. 202**

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Section 65-0202, of the North Dakota Revised Code of 1943, Pertaining to Oath of Office; Salary.

Received from Senate, 711.  
First reading, 737.  
Referred to Committee on Judiciary.  
Reported back, 782.  
Second reading, 861.  
Indefinitely postponed, 861.  
Returned to Senate, 872.

**Senate Bill No. 203**

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 28-3205 of the Revised Code of North Dakota for 1943, Pertaining to Rules of Procedure Before Administrative Agencies, and Declaring an Emergency.

Received from Senate, 729.  
First reading, 738.  
Referred to Committee on Judiciary.  
Reported back, 991.  
Amended, 1083.  
Second reading, 1082.  
Passed, 1082.  
Other action, 1107.  
Returned to Senate, 1088, 1211.  
Returned by Senate, 1207.  
Signed by Speaker, 1208.

**Senate Bill No. 204**

Senate Bill No. 204. A Bill for an Act Amending and Re-enacting Section 11-2309 of the North Dakota Revised Code of 1943 Relating to Unexpended Balances of County Fairs.



Received from Senate, 601.  
First reading, 606.  
Referred to Committee on Tax and Tax Laws.  
Reported back, 759.  
Second reading, 804.  
Passed, 804.  
Returned to Senate, 204, 934.  
Returned by Senate, 929.  
Signed by Speaker, 931.

**Senate Bill No. 205**

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 24-0105 of the North Dakota Revised Code of 1943, Relating to the Designation of a Secondary Highway System and Authorizing the State Highway Commissioner to Designate Such Highways.

Received from Senate, 622.  
First reading, 735.  
Referred to Committee on Highways and Bridges.  
Reported back, 812.  
Second reading, 921.  
Passed, 921.  
Returned to Senate, 933, 1080.  
Returned by Senate, 1033.  
Signed by Speaker, 1075.

**Senate Bill No. 206**

Senate Bill No. 206. A Bill for an Act Amending and Re-enacting Section 43-0405 of the North Dakota Revised Code of 1943, Relating to the Oath of Office, Filling of Vacancies and the Removal of the Board of Barber Examiners; and Declaring an Emergency.

Received from Senate, 663.  
First reading, 735.  
Referred to Committee on Ways and Means.  
Reported back, 935.  
Second reading, 1022.  
Passed, 1022.  
Returned to Senate, 1074, 1211.  
Returned by Senate, 1207.  
Signed by Speaker, 1208.

**Senate Bill No. 207**

Senate Bill No. 207. A Bill for an Act to Amend and Re-enact Subdivision 2 of Section 12-2115 of the North Dakota Revised Code of 1943, Relating to Acts of Sabbath Breaking, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Received from Senate, 711.  
First reading, 737.  
Referred to Committee on State Affairs.  
Reported back, 752.  
Indefinitely postponed, 752.  
Returned to Senate, 763.

**Senate Bill No. 208**

Senate Bill No. 208. A Bill for an Act Authorizing the Attorney General to Appoint Inspector, Investigators, Clerks,

and Bookkeepers for the Licensing Department and Fixing Their Salaries.

Received from Senate, 711.  
 First reading, 737.  
 Referred to Committee on State Affairs.  
 Reported back, 996.  
 Amended, 996.  
 Second reading, 1041.  
 Passed, 1041.  
 Returned to Senate, 1046, 1211.  
 Returned by Senate, 1207.  
 Senate action, 1067.  
 Signed by Speaker, 1208.

**Senate Bill No. 209**

Senate Bill No. 209. A Bill for an Act Amending and Re-enacting Section 26-0108 of the North Dakota Revised Code of 1943, Relating to Examinations of Insurance Companies, and Fixing the Compensation.

Received from Senate, 729.  
 First reading, 738.  
 Referred to Committee on Insurance.  
 Reported back, 887.  
 Second reading, 972.  
 Passed, 972.  
 Returned to Senate, 1011, 1189.  
 Returned by Senate, 1167.  
 Signed by Speaker, 1186.

**Senate Bill No. 210**

Senate Bill No. 210. A Bill for an Act Re-establishing Sub-experiment Stations Under the Jurisdiction of the Director of the Agricultural Experiment Station of the North Dakota Agricultural College at or near Edgeley in LaMoure County, Hettinger in Adams County and Langdon in Cavalier County, and Validating Any Expenses Incurred in Operating Such Stations Since the Adoption of the North Dakota Revised Code of 1943; Declaring an Emergency.

Received from Senate, 729.  
 First reading, 737.  
 Referred to Committee on Agriculture.  
 Reported back, 778.  
 Second reading, 824.  
 Passed, 825.  
 Returned to Senate, 879, 1014.  
 Returned by Senate, 996.  
 Signed by Speaker, 1012.

**Senate Bill No. 211**

Senate Bill No. 211. A Bill for an Act Amending and Re-enacting Section 44-0926 of the North Dakota Revised Code of 1943, Providing for Compensation of Members of the Senate, the House of Representatives, Officers and Employees and the Method of Payment in Impeachment Proceedings, and Declaring an Emergency.

Received by Senate, 1027.  
 First reading, 1067.

Referred to Committee on Judiciary.  
Reported back, 1086.  
Amended, 1086.  
Second reading, 1100, 1111.  
Passed, 1100, 1112.  
Returned to Senate, 1114, 1214.  
Returned by Senate, 1213.  
Senate action, 1120.  
Signed by Speaker, 1213.

**Senate Bill No. 212**

Senate Bill No. 212. A Bill for an Act to appropriate the Sum of Seventy-five Thousand Dollars (\$75,000.00) for the Payment of Expenses of Impeachment Trials, and Declaring and Emergency.

Received from Senate, 1027.  
First reading, 1067.  
Referred to Committee on Appropriations.  
Reported back, 1086.  
Amended, 1086.  
Second reading, 1115.  
Passed 1115, emergency lost.  
Returned to Senate, 1117, 1211.  
Returned by Senate, 1207.  
Senate action, 1122.  
Signed by Speaker, 1208.

**Senate Bill No. 213**

Senate Bill No. 213. A Bill for an Act to Provide for the Taking of Depositions of Witnesses in Impeachment Proceedings; to Compel the Attendance of Witnesses and the Production of Records Before the Officer Before Whom Such Depositions May Be Taken; to Fix Penalties for Refusal; and Declaring an Emergency.

Received from Senate, 1060.  
First reading, 1068.  
Referred to Committee on Judiciary.  
Reported back, 1086.  
Second reading, 1116.  
Passed, 1116.  
Returned to Senate, 1117, 1196.  
Signed by Speaker, 1196.

# SENATE CONCURRENT RESOLUTIONS

## Senate Concurrent Resolution No. 1

Senate Concurrent Resolution No. 1. A Concurrent Resolution Providing Special Rules Fixing the Procedure to Govern in the Adoption of the North Dakota Revised Code of 1943.

Received from Senate, 86.  
First reading, 87.  
Referred to Committee on Judiciary.  
Reported back, 87.  
Amended, 87.  
Second reading, 90.  
Adopted, 90.  
Returned to Senate, 98.

## Senate Concurrent Resolution No. 2

Senate Concurrent Resolution No. 2. A Concurrent Resolution Memorializing Congress and the President to Enact the Townsend Plan.

Received from Senate, 171.  
First reading, 175.  
Referred to Committee on Public Welfare.  
Reported back, 991.  
Second reading, 1083.  
Adopted, 1083.  
Returned to Senate, 1088, 1189.  
Returned by Senate, 1167.  
Signed by Speaker, 1186.

## Senate Concurrent Resolution No. 3

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Received from Senate, 153.  
First reading, 156.  
Referred to Committee on Employment.  
Reported back, 160.  
Amended, 160.  
Second reading, 160.  
Adopted, 161.  
Returned to Senate, 164, 210.  
Returned by Senate, 198.  
Senate action, concurred, 171.  
Signed by Speaker, 199.

## Senate Concurrent Resolution No. 4

Senate Concurrent Resolution No. 4. A Concurrent Resolution Allowing Use of the Memorial Hall for Employees' Dances.

Received from Senate, 154.  
First reading, 156.  
Adopted, 156.  
Returned by Senate, 163.  
Returned to Senate, 210.  
Signed by Speaker, 201.

**Senate Concurrent Resolution No. 7**

Senate Concurrent Resolution No. 7. A Concurrent Resolution Memorializing Congress of the United States with Reference to Changes in the Social Security Acts.

Received from Senate, 494.

First reading, 500.

Referred to Committee on State Affairs.

Reported back, 743.

Second reading, 769.

Adopted, 769.

Returned to Senate, 776, 884.

Returned by Senate, 875.

Signed by Speaker, 877.

**Senate Concurrent Resolution No. 8**

Senate Concurrent Resolution No. 8. A Concurrent Resolution Providing for the Amendment of Section 45 of the Constitution of the State of North Dakota.

Received from Senate, 557.

First reading, 561.

Referred to Committee on Ways and Means.

Reported back, 934.

Amended, 934.

Second reading, 1019.

Passed, 1020.

Returned to Senate, 1074, 1211.

Returned by Senate, 1207.

Senate action, 1067.

Signed by Speaker, 1208.

**Senate Concurrent Resolution No. 9**

Senate Concurrent Resolution No. 9. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Permitting a Special Two-mill Levy for Ten Consecutive Years, Upon All the Taxable Property Within the State of North Dakota, to Be Credited to the Post-War Rehabilitation Reserve Fund.

Received from Senate, 710.

First reading, 733.

Referred to Committee on Tax and Tax Laws.

Reported back, 885.

Second reading, 958.

Passed, 959.

Returned to Senate, 1011, 1211.

Returned by Senate, 1207.

Signed by Speaker, 1208.

**Senate Concurrent Resolution No. 12**

Senate Concurrent Resolution No. 12. A Concurrent Resolution Memorializing the Interstate Commerce Commission and the Public Service Commission of the State of North Dakota to Take Steps to Remove the Discrimination Now Existing Against the North Dakota Shippers of Grain.

Received from Senate, 601.

First reading, 606.

Referred to Committee on Agriculture.

Reported back, 778.  
Second reading, 826.  
Adopted, 826.  
Returned to Senate, 879, 1013.  
Returned by Senate, 996.  
Signed by Speaker, 1012.

#### **Senate Concurrent Resolution No. 13**

Senate Concurrent Resolution No. 13. A Concurrent Resolution Requesting the Secretary of State to Distribute Gummmed Annotations to All Licensed Attorneys, Members of the Twenty-ninth Legislative Assembly, and County Officials.

Received from Senate, 711.  
First reading, 733.  
Referred to Committee on Ways and Means.  
Reported back, 934.  
Second reading, 1019.  
Adopted, 1019.  
Returned to Senate, 1074, 1189.  
Returned by Senate, 1167.  
Signed by Speaker, 1186.

#### **Senate Concurrent Resolution No. 14**

Senate Concurrent Resolution No. 14. A Concurrent Resolution Memorializing Congress of the United States of America and the War Department to Utilize the Facilities Available at Fort Lincoln, North Dakota in the Readjustment Program Following the War.

Received from Senate, 557.  
First reading, 561.  
Referred to Committee on Veterans and Military Affairs.  
Reported back, 784.  
Second reading, 863.  
Adopted, 863.  
Returned to Senate, 879, 1013.  
Returned by Senate, 996.  
Signed by Speaker, 1012.

#### **Senate Concurrent Resolution No. 15**

Received from Senate, 711.  
Second reading, 711.  
Adopted, 711.  
Returned to Senate, 713, 884.  
Returned by Senate, 875.  
Signed by Speaker, 877.

#### **Senate Concurrent Resolution No. 16**

Senate Concurrent Resolution No. 16. State Land Department Authorized to Accept Bid of Returned Veterans on Sale of Original Grant Lands.

Received from Senate, 1024.  
First reading, 1068.  
Adopted, 1068.  
Returned to Senate, 1068, 1189.  
Returned by Senate, 1167.  
Signed by Speaker, 1186.

## **REPORT OF INTERIM INVESTIGATING COMMITTEE**

First reading, 666.

Adopted, 938.

Forwarded to Secretary of State, 678.

## **REPORT OF BOARD OF MANAGERS**

First reading, 1050.