

STATE OF NORTH DAKOTA

Journal of the Senate

of the

Thirty-first Session

of the

Legislative Assembly

January 4th to March 4th, 1949

STATE CAPITOL
BISMARCK, NORTH DAKOTA

C. P. DAHL
Lieutenant Governor

J. B. BRIDSTON
President Pro Tempore

W. J. TROUT
Secretary



SENATE MEMBERS

Dist.	County	Name	Address
1.	Pembina.....	Franklin Page.....	Hamilton
2.	Pt. Ward.....	Walter Troxel.....	Berthold
3.	Pt. Walsh.....	Harry O'Brien.....	Park River
4.	Pt. Walsh.....	Rilie R. Morgan.....	Grafton
5.	Pt. Grand Forks.....	Oliver Bilden.....	Northwood
6.	Pt. Grand Forks.....	Carroll E. 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.....	Kenneth K. Pyle.....	West Fargo
11.	Pt. Cass.....	Joseph Spiekermeier.....	Sheldon
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.....	Arnold Bjorlie.....	Pekin
18.	Cavalier.....	Hugh J. Work.....	Langdon
19.	Rolette.....	John Coghlan.....	Rolla
20.	Benson.....	Orris G. Nordhougen.....	Leeds
21.	Ramsey.....	Clyde Duffy.....	Devils Lake
22.	Towner.....	E. B. Lichty.....	Cando
23.	Stutsman.....	G. I. Feton.....	Jamestown
24.	LaMoure.....	A. J. Sandness.....	LaMoure
25.	Dickey.....	Alfred Welander.....	Fullerton
26.	Emmons.....	E. H. Brant.....	Linton
27.	Burleigh.....	Milton Rue.....	Bismarck
28.	Bottineau.....	Duncan Fraser.....	Omeme
29.	Pt. Ward.....	Walter Blume.....	Glenburn
30.	Morton.....	Richard E. Wolf.....	New Salem
31.	Stark.....	Amos Freed.....	Dickinson
32.	Eddy-Foster.....	C. W. Schrock.....	New Rockford
33.	Wells.....	R. M. Streibel.....	Fessenden
34.	McHenry.....	Emil Torno.....	Towner
35.	Kidder-Sheridan.....	Edward Leno.....	Tuttle
36.	McIntosh-Logan.....	W. H. Mehlhaff.....	Wishek
37.	Pt. Richland.....	Joseph A. Reinke.....	Hankinson
38.	Pt. Barnes.....	Melvin Olson.....	Nome
39.	Billings, Bowman, Golden Valley, Slope.....	Emil Strand.....	Fryburg
40.	Burke-Divide.....	R. H. Lynch.....	Fortuna
41.	McKenzie.....	Hjalmer Nelson.....	Schafer
42.	Pierce.....	W. H. Tuff.....	Barton
43.	Renville.....	Reinhart Krenz.....	Sherwood
44.	Mountrail.....	Axel Olson.....	Parshall
45.	Williams.....	Iver Solberg.....	Ray
46.	McLean.....	E. C. Stucke.....	Garrison
47.	Grant-Sioux.....	William Kamrath.....	Leith
48.	Mercer-Oliver and Dunn.....	Frank Albers.....	Center
49.	Adams-Hettinger.....	Laverne Schoeder.....	DeSart

HOUSE MEMBERS

Dist.	County	Name	Address
1.	Pembina	Alex Dalzell	Walhalla
		F. M. Einarson	Mountain
		John Halcrow	Bowesmont
2.	Pt. Ward	Bernard Larsen	Kenmare
3.	Pt. Walsh	Palmer Levin	Park River
		M. T. Lillehaugen	Brocket
4.	Pt. Walsh	Wilfred Collette	Grafton
5.	Pt. Grand Forks	Clinton E. Walster	Larimore
6.	Pt. Grand Forks	George H. Saumur	Grand Forks
7.	Pt. Grand Forks	A. M. Allen	Thompson
8.	Traill	H. W. McInnes	Kelso
		Oscar Sorlie, Jr.	Buxton
		Harvey G. Wambheim	Hatton
9.	Pt. Cass	K. A. Fitch	Fargo
		A. C. Johnson	Fargo
		C. T. Yirchott	Fargo
		John I. Brady	Fargo
		Clair F. Brickner	Fargo
10.	Pt. Cass	A. J. Anderson, R. 2.	Fargo
		Carl G. Simenson	Kindred
11.	Pt. Cass	Arthur E. Laske	Leonard
		Harry W. Wadson	Alice
12.	Pt. Richland	Vernon Anderson	Dwight
		A. W. Luick	Fairmount
13.	Sargent	G. A. Klefstad	Forman
		Brown D. Williams	Lidgerwood
14.	Ransom	Anson J. Anderson	Lisbon
		Hjalmar Nygaard	Enderlin
15.	Pt. Barnes	John T. Heimes	Valley City
16.	Griggs-Steele	C. B. Kjelgaard	Cooperstown
		Bjorn Fuglestad	Cooperstown
		John H. Haugen	Cooperstown
17.	Nelson	K. H. Helling	Michigan
		Gustav Locken	Kloten
18.	Cavalier	L. E. Callahan	Munich
		Peter Moe	Osnabrock
		Dan Power	Langdon
19.	Rolette	John Stormon	Rolla
		Oscar Solberg	Mylo
20.	Benson	C. H. Hofstrand	Leeds
		John Leier	Esmond
21.	Ramsey	Louis Leet	Webster
		Frithjof Skaar	Hampden
		Harry Stormon	Devils Lake
22.	Towner	H. B. Baeverstad	Cando
		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	Charles Freadhoff	LaMoure
		Roy A. Holand	LaMoure

25. Dickey.....	Cornelius Bymers.....	Ellendale
	F. J. Graham.....	Ellendale
26. Emmons.....	Karl Kleppe.....	Kintyre
	Joseph Welk.....	Hague
27. Burleigh.....	John R. Fleck.....	Bismarck
	Walter E. Sellens.....	Bismarck
	William S. Murray.....	Bismarck
28. Bottineau.....	S. J. Acheson.....	Westhope
	Emery Cote.....	Willow City
	Arlan Stair.....	Newburg
29. Pt. Ward.....	C. W. Baker.....	Minot
	Brynhild Haugland.....	Minot
	Roy Larson.....	Minot
	W. M. Smart.....	Minot
30. Morton.....	Tony Starck.....	Judson
	Matt M. Schmidt.....	Flasher
	C. G. (Gus) Fristad.....	Mandan
31. Stark.....	George P. Braun.....	Dickinson
	E. D. Culver.....	Dickinson
	Leo Sticka.....	New England
32. Eddy-Foster.....	A. C. Langseth.....	Carrington
	C. A. Anderson.....	Carrington
33. Wells.....	Ervin Haedt.....	Cathay
	Aug. Wahl.....	Fessenden
34. McHenry.....	Theodore Monson.....	Bergen
	George Hammer.....	Velva
	John Zurcher.....	Towner
35. Kidder-Sheridan.....	Fred G. Helm.....	Denhoff
	Gottlieb Frank.....	Kief
36. McIntosh-Logan.....	Samuel Rudolf.....	Wishek
	T. E. Schuler.....	Streeter
	Ben J. Wolf.....	Zeeland
37. Pt. Richland.....	Ray Thompson.....	Walcott
	Chas. Wollitz.....	Lidgerwood
38. Pt. Barnes.....	Joseph Stevens.....	Valley City
39. Billings, Bowman, Golden Valley, Slope.....	Otto Schade.....	Bowman
	Albert Homelvig.....	Amidon
	Roy Snow.....	Beach
40. Burke-Divide.....	Frank Lindberg.....	Lostwood
	Ralph Dewing.....	Columbus
	Ivan Erickson.....	Crosby
41. McKenzie.....	Arthur A. Link.....	Alexander
	Halvor Rolfsrud.....	Watford City
42. Pierce.....	Andrew Benson.....	Barton
	Joe Gumeringer.....	Esmond
43. Renville.....	Victor C. Bryans.....	Carpio
44. Mountrail.....	J. N. Mollet.....	Powers Lake
	Albert Moerke.....	Parshall
45. Williams.....	Oscar Lee.....	Williston
	Lloyd Esterby.....	Appam
	S. R. Siverson.....	Wheelock
46. McLean.....	A. A. Bentz.....	Turtle Lake
	Weldon Haugen.....	Roseglen
	Richard J. Thompson.....	Underwood
47. Grant-Sioux.....	James J. Maher.....	Morristown, S.D.
	Fred Seibel.....	Elgin
48. Mercer, Oliver and Dunn.....	Edwin G. Sailer.....	Stanton
	Walter Bubel.....	Center
	Ernest R. Hafner.....	Beulah
49. Adams-Hettinger.....	Elmer Hegge.....	New England
	George Schwartz.....	Mott

SENATE EMPLOYEES

Name	Position	Home Address
W. J. Trout.....	Secretary	Sherwood
Kenneth L. Morgan.....	Asst. Secy.	Walcott
Dagny Olson.....	Desk Reporter	Minnewaukan
Arthur Herk.....	Bill Clerk	Fingal
Jake Goll.....	Sgt. at Arms	Danzig
C. E. Thomas.....	Asst. Sgt. at Arms	Bismarck
Mildred Lange.....	Stenographer	Bismarck
Catherine Green.....	Stenographer	Bismarck
Ethel Taylor.....	Stenographer	Bismarck
Cora Mae Danielson.....	Stenographer	East Grand Forks
Myrtle Steen.....	App. Comm. Steno.	Bismarck
Mrs. P. J. Curtis.....	Enroll. & Engross.	Bismarck
Lucille Moses.....	Enroll. & Engross.	Bismarck
John W. Benson.....	Proof Reader	Bismarck
Oscar A. Olson.....	Proof Reader	Bismarck
Nels Johnson.....	Postmaster	Grand Forks
Jacob Hegland.....	Mailing Clerk	Oberon
Kate Smith.....	Mailing Clerk	Bismarck
G. T. Wolseth.....	Mailing Clerk	Wolseth
John Sailer.....	Mailing Clerk	Bismarck
Lynn Heaps.....	Mailing Clerk	Leith
Geo. Hegland.....	Mailing Clerk	New Rockford
E. L. Christensen.....	Chart Room	Kensal
Nels Noben.....	Chart Room	Bismarck
Esther Haugerud.....	Chart Room	Watford City
Charlton Danielson.....	Chart Room	Bismarck
Mrs. Frank Barnes.....	Chart Room	Bismarck
Minnie J. Kurfirst.....	Chart Room	Fairmount
Roger J. Metz.....	Comm. Clerk	Bismarck
Engvold Lunde.....	Comm. Clerk	Crosby
Paul Lane.....	Comm. Clerk	LaMoure
Mrs. Selma Stenerson.....	Comm. Clerk	Minot
Alice Manikowske.....	Comm. Clerk	Mooreton
Mrs. Paul Halldorson.....	Comm. Clerk	Bismarck
Della Erickson.....	Comm. Clerk	Bismarck
Steve TerHorst.....	Comm. Clerk	Donnybrook
Victor Grina.....	Messenger to Governor	Hatton
F. J. McConville.....	Doorkeeper	Linton
W. F. King.....	Doorkeeper	Fryburg
O. W. Rudolph.....	Doorkeeper	Rugby
Ray Unzelman.....	Doorkeeper	Bismarck
Martin Kilwein.....	Doorkeeper	Dickinson
Norin Korsmo.....	Doorkeeper	Northwood
Doris King.....	Page	Bismarck
Betty Pavlik.....	Page	Bismarck

Jerry Stair.....	Page	Bottineau
M. C. Olson.....	Page	Bowman
E. W. Willoughby.....	Cloak Room Attend.	Grace City
Mrs. Una Nierling.....	Telephone Attend.	Jamestown
Omar Rostad.....	Mess. for Sen. Stucke.....	Roseglen
Rev. N. E. Elsworth.....	Clergy-at-large	Bismarck
John S. Hove.....	Bill Room	Hoople
J. O. Bergheim.....	Bill Room	Bismarck
H. H. Dahl.....	Bill Room	Norma
Christ Dyste.....	Bill Room	Rutland
Joe Marion.....	Bill Room	Dunseith
John O. Koehn.....	Calendar Clerk	Munich
T. A. Crawford.....	Com. Rm. Attend.	Minot
Gust Wog.....	Com. Rm. Attend.	Belfield
L. L. Rudrud.....	Com. Rm. Attend.	Bismarck
James Gronna.....	Com. Rm. Attend.	Grand Forks
Joe Eisele.....	Nite Watchman	Bismarck

Journal of the Senate



Thirty-first Legislative Assembly

FIRST DAY

Bismarck, January 4, 1949

At the hour of twelve o'clock noon on the 4th day of January, 1949, it being the day and hour designated by the Constitution for convening the Legislative Assembly of the State of North Dakota, the hold-over members, and members elected to the Senate of the Thirty-first Legislative Assembly, assembled in the North Dakota State Capitol Building at Bismarck, North Dakota, were called to order by H. J. Trout, Secretary of the Thirtieth Legislative Assembly of the State of North Dakota.

The following communication was received from the Secretary of State.

DEPARTMENT OF STATE

Bismarck, January 3, 1949

Secretary of the Senate
Thirty-first 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 Thirty-first Legislative Assembly of the State of North Dakota as determined by the State Board of Canvassers.

Dist.	County	Name	Address
1.	Pembina	Franklin Page	Hamilton
3.	Pt. Walsh	Harry O'Brien	Park River
5.	Pt. Grand Forks	Oliver Bilden	Northwood
7.	Pt. Grand Forks	J. B. Bridston	Grand Forks
9.	Pt. Cass	W. H. Shure	Fargo
11.	Pt. Cass	Joseph Spiekermeier	Sheldon
13.	Sargent	Oscar Wahlund	Cogswell
15.	Pt. Barnes	P. L. Foss	Valley City
17.	Nelson	Arnold Bjorlie	Pekin
19.	Rolette	John Coghlan	Rolla
21.	Ramsey	Clyde Duffy	Devils Lake
23.	Stutsman	G. I. Fetton	Jantestown
25.	Dickey	Alfred Welander	Fullerton
27.	Burleigh	Milton Rue	Bismarck
28.	Bottineau	Duncan Fraser	Omemee
29.	Pt. Ward	Walter Blume	Glenburn
31.	Stark	Amos Freed	Dickinson
33.	Wells	R. M. Streibel	Fessenden
35.	Kidder-Sheridan	Edward Leno	Tuttle
37.	Pt. Richland	Joseph A. Reinke	Hankinson
39.	Billings, Bowman, Golden Valley, Slope	Emil Strand	Fryburg
41.	McKenzie	Hjalmer Nelson	Schafer

43. RenvilleReinhart Krenz Sherwood
 45. WilliamsIver Solberg Ray
 47. Grant-SiouxWilliam Kamrath Leith
 49. Adams-Hettinger Laverne Schoeder DeSart

These members should qualify by executing the Oath of Office and attach it to their certificate of election and file both papers in the office of the Secretary of State.

Also; I further certify that the following are hold-over Senators, having been elected at the General Election in 1946 and were duly qualified by the Thirtieth Legislative Assembly.

Dist.	County	Name	Address
2.	Pt. Ward	Walter Troxel	Bertrold
4.	Pt. Walsh	Rilie R. Morgan	Grafton
6.	Pt. Grand Forks	Carroll Day	Grand Forks
8.	Trail	C. Norman Brunsdale	Mayville
10.	Pt. Cass	Kenneth K. Pyle	West Fargo
12.	Pt. Richland	Wm. J. Braun	Wahpeton
14.	Ransom	J. L. Flatt	Sheldon
16.	Griggs-Steele	Steven C. Nelson	Finley
18.	Cavalier	Hugh J. Work	Langdon
20.	Benson	Orris G. Nordhougen	Leeds
22.	Towner	E. B. Lichty	Cando
24.	LaMoure	A. J. Sandness	LaMoure
26.	Emmons	E. H. Brant	Linton
* 28.	Bottineau	Duncan Fraser	Omeme
30.	Morton	Richard E. Wolf	New Salem
32.	Eddy-Foster	C. W. Schrock	New Rockford
34.	McHenry	Emil Torno	Towner
36.	McIntosh-Logan	W. H. Mehlhaff	Wishek
38.	Pt. Barnes	Melvin Olson	Nome
40.	Burke-Divide	R. H. Lynch	Fortuna
42.	Pierce	W. H. Tuff	Barton
44.	Mountrail	Axel Olson	Parshall
46.	McLean	E. C. Stucke	Garrison
48.	Mercer-Oliveh and Dunn	Frank Albers	Center

* Succeeds William H. Thatcher, Deceased.

These members should also qualify by executing an Oath of Office which should be attached to the Certificates of Election and filed together in the office of the Secretary of State. Similar certificates or letter of appointment and an Oath of Office should be filed by each of the appointed 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 3rd day of January, A. D. 1949.

Respectfully yours,
 THOMAS HALL,
 Secretary of State.

Senator Nelson of Steele and Griggs moved that a committee of three be appointed to escort the Lieutenant Governor to the rostrum to be sworn in as President of the Senate, which motion prevailed.

The Secretary appointed as such committee, Senators Nelson of Steele and Griggs, Spiekermeier, and Duffy.

Senator Streibel moved that the Secretary appoint a com-

mittee of three to escort Chief Justice W. L. Nuessle of the Supreme Court of the State of North Dakota to the rostrum for the purpose of administering the oath of office to the Lieutenant Governor and the newly elected members of the Senate of the State of North Dakota, which motion prevailed.

The Secretary appointed as such committee, Senators Streibel, Troxel and Reinke.

Chief Justice W. L. Nuessle then administered the oath of office to the Lieutenant Governor, C. P. Dahl, who thereupon took charge of the proceedings.

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

Prayer by the Chaplin, Rev. Opie S. Rindahl of Bismarck.

ROLL CALL

Present:

Albers	Kamrath	Reinke
Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Blunne	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Torno
Day	Nelson,McKenzie	Troxel
Duffy	Nordhougen	Tuff
Feton	Olson, Barnes	Wahlund
Flatt	Olson, Mountrail	Welander
Foss	O'Brien	Wolf
Fraser	Page	Work
Freed	Pyle	

Absent:

Schrock	Solberg	Stucke
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46 present; 3 absent.

Senator Krenz moved that W. J. Trout of Renville County be elected as Secretary of the Senate.

ROLL CALL

The question being on the selection of W. J. Trout as Secretary of the Senate the roll was called and there were ayes, 46; nays, 0; absent not voting, 3.

Those voting in the affirmative were:

ROLL CALL

Albers	Kamrath	Rue
Bilden	Lichty	Lynch
Bjorlie	Leno	Sandness
Blunne	Krenz	Schoeder
Brant	Mehlhoff	Shure
Braun	Morgan	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nelson,McKenzie	Torno
Day	Nordhougen	Troxel
Duffy	Olson, Barnes	Tuff
Feton	Olson, Mountrail	Wahlund
Flatt	O'Brien	Welander

Foss	Page	Wolf
Fraser	Reinke	Work
Freed	Pyle	

Absent and not voting:

Schrock	Solberg	Stucke
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W. J. Trout was declared elected as Secretary of the Senate.

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

Senator Duffy moved that Dagny Olson be elected as Desk Reporter.

ROLL CALL

The question being on the election of Dagny Olson as Desk Reporter the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3;

Those voting in the affirmative were:

Albers	Kamrath	Reinke
Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Torno
Day	Nelson, McKenzie	Troxel
Duffy	Nordhougen	Tuff
Feton	O'Brien	Wahlund
Flatt	Olson, Barnes	Welander
Foss	Olson, Mountrail	Wolf
Fraser	Page	Work
Freed	Pyle	

Absent and not voting:

Schrock	Solberg	Stucke
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The president of the senate then administered the oath of office to the Desk Reporter-elect.

Senator Mehlhoff moved that J. C. Goll of McIntosh County be elected as Sergeant-at-arms of the Senate.

ROLL CALL

The question being on the election of J. C. Goll as Sergeant-at-arms, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Kamrath	Pyle
Bilden	Krenz	Reinke
Bjorlie	Leno	Rue
Blume	Lichty	Sandness
Brant	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Day	Steele	Streibel

Duffy	Nordhougen	Tuff
Feton	Olson, Barnes	Wahlund
Flatt	Olson, Mountrail	Welanders
Foss	O'Brien	Wolf
Fraser	Page	Work
Freed	Torno	
Nelson, McKenzie	Troxel	
Absent and not voting:		
Schrock	Solberg	Stucke
Coghlan		

J. C. Goll was declared elected as Sergeant-at-arms.

The president of the Senate then administered the oath of office to the Sergeant-at-arms-elect.

Senator Lynch moved that the President appoint a committee of three to notify the Governor that the Senate is organized and ready to receive any message he desires to deliver to it, which motion prevailed.

The President appointed as such committee, Senators Lynch, Pyle and Feton.

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

The president appointed as such committee, Senators Freed, Tuff and Olson of Barnes.

Senator Day moved that the Rules of the Senate of the Thirtieth Legislative Assembly be adopted as the temporary Rules of the Senate of the Thirty-first Legislative Assembly, which motion prevailed.

Senator Day moved that Rule 28 of the temporary rules be amended as follows: In the fourth line of the Rule 28, after the word "member," insert a comma and delete the word "or" and after the word "committee" in the same line add the words "or Legislative Research Committee," which motion prevailed.

Senator Lynch announced that the Committee appointed to notify the Governor that the Senate was organized and ready to do business had completed its work and asked that the committee be discharged, which request was granted.

Senator Morgan moved that the President of the Senate appoint a committee on committees to consist of seven members, one of which shall be the Lieutenant Governor who shall be the chairman of the committee, which motion prevailed.

The President appointed as such committee, Senators Morgan, Brunsdale, Bridston, Nordhougen, Streibel and Lynch.

committee of three to act as a temporary committee on Revision and Correction of the Journal, which motion prevailed.

Senator Nordhougen moved that the President appoint a

committee of three to act as a temporary committee on Revision and Correction of the Journal, which motion prevailed.

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

The President appointed as such committee, Senators Foss, Wolf and Strand.

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

The president appointed as such committee, Senators Braun, Nelson of McKenzie and Coghlan.

Senator Flatt moved that the President appoint a committee of five to serve as a committee on employment during the session, which motion prevailed.

The president appointed as such committee, Senators Flatt, Work, Braun, Leno and Nordhousen.

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

The President appointed as such committee, Senator Bridston, Blume and Sandness.

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

The President appointed as such committee, Senators Rue, Bjorlie and Torno.

Senator Brant moved that the President appoint a temporary committee of nine members on Rules of the Senate, which motion prevailed.

The President appointed as such committee, Senators Brant, Brunsdale, Nordhousen, Streibel, Day, Nelson of McKenzie, Page, Olson of Mountrail and Krenz.

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

The Senate reconvened at the expiration of the recess.

Senator Brunsdale moved that the Senate do now recess until 1:00 P. M., January 5, 1949, which motion prevailed and the Senate stood recessed.

W. J. TROUT, Secretary.

FIRST DAY AFTER RECESS

AND SECOND DAY

Bismarck, January 5, 1949

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

Senator Rue: Mr. President, members of the Senate, as you heard Senator Brunsdale say, the Lieutenant Governor has a case of laryngitis and it is customary at this time that he deliver his speech to the Senate, and he has that prepared, and I move at this time that we dispense with the making of the speech at this time and that it be printed into the Journal. This motion prevailed.

Lieutenant Governor Dahl: "Honorable Senators, Ladies and Gentlemen and citizens of North Dakota; First let me express my humble appreciation for the great honor that has been bestowed upon me by the people of No. Dak. to be again elected to the position of Lieutenant Governor of our great state, to be elected to the position of presiding officer of the Senate three successive terms is a distinction and an honor given me by the citizens of N. Dak., that I alone enjoy. To say that I am grateful for the confidence and trust that the voters of North Dakota have bestowed upon me, is only partly expressing my true feeling at this time, and I only hope that I may be guided with a sense of fairness that will warrant your confidence.

As I look over this assembly today I find but very few faces that were present when I first took a seat in this chamber as a Senator in 1939, new faces appear in every session, that is as it should be, as time is no respecter of life, and no man is indispensable.

Controversial issues have confronted every session in the past, and I am sure this session will be no exception to the rule, as human beings we do not see the ultimate results of an issue in the same light, but I am confident that the practice of prudence and tolerance will result in legislation that will be for the best interest of all the people of our state.

I believe in the free enterprise system, that private interests should be encouraged to develop our resources and thereby strengthen our economy, but, if such a program is not forthcoming, and through proper research it is found feasible and in the best interest of the state to develop our natural resources by the people, then this should be done in the interest of added wealth.

There will be many knotty problems to untangle without a doubt during the next sixty days, and it shall be my endeavor to render as unbiased a service as is humanly possible to the best of my ability. I also want to assure you that you will have at your service a courteous and cooperative desk force who will be glad to give assistance according to the capacity of their office.

In closing I want to say that, I enter upon my duties as presiding officer in full confidence, that, I am going to

have your cooperation and good fellowship, we are going to get along splendidly I am sure. Thank you."

Senator Flatt: The Employment Committee recommends the employment of the following employees:

Kenneth Morgan Asst' Secy.
 C. E. Thomas Asst. Sgt. Arms
 Betty Pavlik Page
 Doris King Page
 Jerry Stair Page
 Mrs. P. J. Curtis Engrossing--Enrolling
 Lucile Moses Engrossing-Enrolling
 Nels Johnson Postmaster
 E. W. Willoughby Cloak Room Attendant
 Mrs. Una Nierling Telephone Messenber
 John Keohn Bill Clerk
 Arthur Herk Calendar Clerk
 Mildred Lange Stenographer
 Catherine Greene Stenographer
 Ethel Taylor Stenographer
 John W. Benson Proofreader
 Oscar A. Olson Proofreader
 E. L. Christensen Chart Room
 Nels Noben Chart Room
 Esther Hangerud Chart Room
 Charleton Danielson Chart Room
 Mrs. Frank Barnes Chart Room
 Jacob Hegland Mailing Clerk
 Kate Smith Mailing Clerk
 G. L. Wolseth Mailing Clerk
 John Sailer Mailing Clerk
 Lynn Heaps Mailing Clerk
 John S. Hove Bill Room
 J. O. Bergheim Bill Room
 H. H. Dahl Bill Room
 Christ Dyste Bill Room
 Joe Marion Bill Room
 T. A. Crawford-Committee Room Attendant
 Gust Wog Committee Room Attendant
 Omar Rostad Messenger for Stucke
 Roger J Metz Committee Clerk
 Engvold Lunde Committee Clerk
 Paul Lane Committee Clerk
 Myrtle Steen App. Committee Clerk
 Mrs. Selma Steinerson Committee Clerk
 Alice Manikoski Committee Clerk
 F. J. McConville Doorkeeper
 W. F. King Doorkeeper
 O. W. Rudolph Doorkeeper
 Ray Unzelman Doorkeeper
 Martin Kilwein Doorkeeper
 Novin Korsmo Doorkeeper
 Victor Griza Messenger to Governor

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

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Schoeder
Bjorlie	Lichty	Shure

Blume	Lynch	Spiekermeier
Brant	Mehlhoff	Strand
Braun	Morgan	Streibel
Bridston	Nelson, Griggs-	Torno
Brunsdale	Steele	Troxel
Coghlan	Nelson, McKenzie	Tuff
Day	Nordhougen	Wahlund
Duffy	Olson, Barnes	Welander
Feton	Olson, Mountrail	Wolf
Flatt	O'Brien	Work
Foss	Page	
Freed	Pyle	
Kamrath	Reinke	
Absent and not voting:		
Fraser	Schrock	Stucke
Sandness	Solberg	

So said employees were declared elected to their respective positions and the President of the Senate administered the oath of office to such employees.

Senator Day: Mr. President, I have the honor of nominating for President Pro Tem of the Senate during the Thirty-first Legislative Assembly a man from my county who has served in this body as long as anyone, in the coalition faction. I nominate J. B. Bridston of Grand Forks.

Streibel: I will at this time place in nomination the name of Harry O'Brien.

ROLL CALL

The question being on the election of the President Pro Tem, the roll was called and Senator Bridston had 25 votes, Senator O'Brien had 21 votes; absent and not voting 3.

Those voting for Sen. Bridston were:

Brant	Foss	Reinke
Braun	Freed	Rue
Bridston	Krenz	Sandness
Brunsdale	Mehlhoff	Shure
Coghlan	Morgan	Strand
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	Olson, Barnes	Work
Flatt	Pyle	

Those voting for Sen. O'Brien were.

Albers	Lichty	Schoeder
Bilden	Lynch	Spiekermeier
Bjorlie	Nelson, McKenzie	Streibel
Blume	Nordhougen	Tuff
Fraser	Olson, Mountrail	Wahlund
Kamrath	O'Brien	Welander
Leno	Page	Wolf
Absent and not voting:		
Schrock	Solberg	Stucke

So Senator Bridston was declared elected as President Pro Tem.

Senator O'Brien moved that the vote be made unanimous.

Senator Streibel objected to the vote being made unanimous.

President announced that the vote was not unanimous.

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

Senator Rue: Your committee on telephones appointed to meet with a like committee from the House, has done the necessary work and I move that the committee be dissolved, and that the report of the committee be adopted.

Senator Page: I move that the motion be amended to accept the report and retain the committee, which motion prevailed.

The motion of Senator Rue to adopt the report prevailed.

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

W. J. TROUT, Secretary.

SECOND DAY

Bismarck, January 5, 1949

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

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

Roll Call: All Senators present except Senators Schrock, Solberg, and Stucke.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the first day and recommends that the same be corrected as follows:

On page one in line 8 change the letter H. to W.

On page 2, line 18 correct the spelling of the word Berthold.

On page 2, line 42, correct the spelling of the word appointment.

On page 2, line 52, correct the spelling of the word appointed.

On page 2, after District 48 correct the spelling of the word Oliver.

On page 6, in line 6 correct the spelling of the word McKenzie.

And when so corrected recommends that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

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

The president requested Senator Streibel to present Senator Solberg, who had just arrived at the rostrum.

The Lieutenant Governor administered the oath of office to Senator Solberg.

Senator Streibel moved that the Senate recess until 1:30 P. M. January 6th, which motion prevailed.

W. J. TROUT, Secretary.

SECOND DAY AFTER RECESS

AND THIRD DAY

Bismarck, January 6, 1949

The Senate convened at 1:30 P. M. pursuant to recess taken, the President Pro Tem presiding.

Senator Schrock. Perhaps I do owe this group an apology for having been late. If I do, the apology is now being offered. You are all aware that we had a terrific storm and some of us could not be here. I feel that some of the business that was transacted when we were absent might have been different had we been here. In view of that fact I shall shortly make a motion, which motion, I feel, is vital to the Senate. Mr. President, if this be the order of business, I, therefore, move at this time that the motion by which the President Pro Tem was elected be reconsidered on Tuesday at 2:30 P. M.

Senator Morgan rose to a point of Order.

President: What is your point of Order?

Senator Morgan: I call the attention of the Senate to the fact that the President Pro Tem is a Constitutional Officer, who was elected in a Constitutional way by a Constitutional majority, and he cannot be unseated by a mere motion from the floor.

President: I rule that the point of order is not well taken.

Senator Streibel: Senator Flatt said that this was water under the bridge and probably thinks that we are going to take undue advantage of the fact that some of their members are not here. We realize that Senator Brunsdale is not here. That is why we had Senator Schrock move the reconsideration for Tuesday, January 11, 1949, at 2:30 P. M. That is certainly being more fair than you were in voting on this when Solberg and Schrock were absent. Morgan said we cannot reconsider this because it was not by motion. I say we can reconsider any action that is taken in the Senate.

On Sen. Schrock's motion the roll was called and there were ayes, 23; nays, 22; absent and not voting, 4.

Those voting in the affirmative were:

Albers
Bilden
Bjorlie

Lynch
Nelson, McKenzie
Nordhousen

Solberg
Spiekermeier
Streibel

Blume	Olson, Mountrail	Tuff
Fraser	O'Brien	Wahlund
Kamrath	Page	Welander
Leno	Schoeder	Wolf
Lichty	Schrock	

Those voting in the negative were:

Brant	Freed	Reinke
Braun	Krenz	Rue
Bridston	Nelson, Griggs-	Sandness
Day	Steele	Shure
Duffy	Olson, Barnes	Strand
Feton	Mehlhoff	Torno
Flatt	Morgan	Work
Foss	Pyle	

Absent and not voting:

Brunsdale	Stucke	Troxel
Coghlan		

Senator Foss: The committee on selection of Senate committee rooms has made a survey of the rooms available for the Senate, and find that they have been rehabilitated with new chairs, the ceilings have been treated with a celotex which will improve the acoustics a great deal. We report that the same rooms are available as in 1947. There is one room that the Senate has been using down town the past two or three years at the Patterson Hotel, and I presume that will require a stipulation of the members later on. This room has been a part of our committee rooms previously. I move that the following report be adopted:

COMMITTEE ASSIGNMENT ROOMS

Agriculture	207
Education	204
Finance & Tax	G-1
Judiciary	205
State Federal Gov.	G-1
General Affairs	204
Industry & Business	205
Labor Relations	206
Natural Resources	203
Political Subdivision ..	206
Social Welfare	207
Transportation	203
Veterans & Mil. Af.	206
Delayed Bills	206
Enrolling & Engrossing ..	102
Revision & Cor. of Journal ..	102
Appropriation	Patterson Hotel Room 200
Legislative Research Com.	Senate Lounge

P. L. FOSS, Chairman.

The motion to adopt said report prevailed.

Senator Flatt: I move that the following persons be employed.

Mrs. Paul E. Halldorson ..	Committee Clerk
Della Erickson	Committee Clerk

Steve Terhorst Committee Clerk
 George Hegland Mailing Clerk
 M. C. Olson Page
 L. L. Rudrud Committee Room Attendant
 Rev. N. E. Elsworth Clergy at Large
 Minnie J. Kurfirst Chart Room

The question being on the Election of Employees, the roll was called and there were: ayes, 45; nays, 0; absent and not voting, 4.

ROLL CALL

Those votin^g in the affirmative were:

Albers	Leno	Rue
Bilden	Lichty	Sandness
Bjorlie	Lynch	Schrock
Blume	Mehlhoff	Schoeder
Brant	Morgan	Shure
Braun	Nelson, Griggs-	Solberg
Bridston	Steele	Spiekermeier
Day	Nelson, McKenzie	Strand
Duffy	Nordhougen	Streibel
Feton	O'Brien	Torno
Flatt	Olson, Barnes	Tuff
Foss	Olson, Mountrail	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Krenz		

Absent and not voting:

Brunsdale	Stucke	Troxel
Coghan		

So said employees were declared elected to their respective positions and the president of the Senate administered the oath of office to such employees.

Senator Freed reported that the committee that was appointed to notify the House that the Senate was organized and ready for business, had fulfilled their duty and asked to be discharged, which request was granted.

Senator Morgan: The Committee on Committees reports as follows: That Senator Pyle, Senator Reinke and Senator Spiekermeier serve as the committee on mileage and per diem. I move that the preliminary report of the Committee on Committees appointing the committee on mileage and per diem be adopted.

This motion to adopt prevailed.

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

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

W. J. TROUT, Secretary.

THIRD DAY

Bismarck, January 6, 1949

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

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

Roll Call: All Senators present except Senators Brunsdale, Coghlan, Stucke and Troxel.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the first day after recess and second day and recommends that the same be corrected as follows:

On page 1, line 35, correct the spelling of the word encouraged.

On page 2, line 14, correct the spelling of the word messenger.

On page 3, line 31, strike out the word from and insert the word for.

On page 4, strike out "18" and insert "12" in line 30.

And when so corrected recommends the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

Senator Morgan moved that the Senate do now recess until 1:30 P. M. January 7, 1949, which motion prevailed.

W. J. TROUT, Secretary.

THIRD DAY AFTER RECESS

AND FOURTH DAY

Bismarck, January 7, 1949

The Senate convened at 1.30 P. M., pursuant to recess taken, the President presiding.

Senator Streibel moved that the President select a committee of three to meet with a like committee of the House to make arrangements for Chaplains for the session.

The question being on selection of committee to arrange for Chaplains, the roll was called and there were: ayes, 30; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

ROLL CALL

Bilden	Krenz	Pyle
Bjorlie	Leno	Reinke
Blume	Lichty	Rue
Brant	Lynch	Schrock
Coghlan	Nelson, Griggs-	Schoeder
Day	Steele	Shure
Duffy	Nelson, McKenzie	Solberg
Feton	Nordhougen	Spiekermeier
Foss	Olson, Mountrail	Streibel
Fraser	Page	Tuff
Kamrath		
Absent and not voting:		
Albers	Morgan	Torno
Braun	O'Brien	Troxel
Bridston	Olson, Barnes	Wahlund
Brunsdale	Sandness	Welanders
Flatt	Strand	Wolf
Freed	Stucke	Work
Mehlhoff		

The President appointed as such Committee, Senators Streibel, Bjorlie and Bilden.

Senator Foss moved that a committee of three be appointed to make arrangements to take pictures of the wonderful new Senators and the old Senators.

The question being on a committee to arrange for picture, the roll was called and there were. ayes, 32; nays, 0; absent and not voting, 17.

ROLL CALL

Those voting in the affirmative were:

Bilden	Kamrath	Pyle
Bjorlie	Krenz	Reinke
Blume	Leno	Rue
Brant	Lichty	Schrock
Coghlan	Lynch	Schoeder
Day	Nelson, Griggs-	Shure
Duffy	Steele	Solberg
Feton	Nelson, McKenzie	Spiekermeier
Flatt	Nordhougen	Streibel
Foss	Olson, Mountrail	Tuff
Fraser	Page	Work

Absent and not voting:

Albers	Morgan	Torno
Braun	O'Brien	Troxel
Bridston	Olson, Barnes	Wahlund
Brunsdale	Sandness	Welander
Freed	Strand	Wolf
Mehlhoff	Stucke	

The President declared the motion carried.

The President appointed as such committee, Senators Foss, Lichty and Blume.

President: It has been called to my attention that there has not been a committee appointed to confer with the Board of Administration for Janitor work. That has to be taken care of.

Senator Brant moved that the President appoint a committee of three to confer with the Board of Administration in regard to Janitor work, which motion prevailed.

The President appointed as such committee, Senators Brant, Welander and Strand.

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

Senator Flatt: I move that the following persons be employed:

Core Mae Danielson	Stenographer.
James Gronna	Committee Room Attendant

The question being on election of employees, the roll was called and there were ayes, 27; nays, 3; absent and not voting, 19.

Those voting in the affirmative were:

Bilden	Krenz	Reinke
Bjorlie	Leno	Rue
Blume	Lichty	Schoeder
Brant	Lynch	Schrock
Coghlan	Nelson, Griggs-	Shure
Day	Steele	Spiekermeier
Duffy	Nelson, McKenzie	Streibel
Feton	Nordhougen	Tuff
Flatt	Olson, Mountrail	
Foss	Pyle	

Those voting in the negative were:

Fraser	Page	Solberg
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Absent and not voting:

Albers	Morgan	Troxel
Braun	Olson, Barnes	Wahlund
Bridston	O'Brien	Welander
Brunsdale	Sandness	Wolf
Freed	Strand	Work
Kamrath	Stucke	
Mehlhoff	Torno	

So said employees were declared elected to their respective positions, and the President of the Senate Administered the oath of office to such employees.

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

W. J. TROUT, Secretary.

FOURTH DAY

Bismarck, January 7, 1949

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

Prayer by Rev. Oscar Holt of Mandan.

Roll Call: All Senators present except Senators Albers, Braun, Bridston, Brunsdale, Freed, Mehlhoff, Morgan, Olson of Barnes, O'Brien, Sandness, Strand, Stucke, Torno, Troxel, Wahlund, Welander, Wolf and Work.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the second day after recess and third day and recommends that the same be corrected as follows:

Page 12, line 48, strike out the name Torno and insert Foss.

Page 13, line 5, strike out the letter "M" and insert the letter "N."

Page 13, correct spelling of the name Elsworth.

Page 14, line 17, correct the spelling of the name "Orris."

And when so corrected recommends that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

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

Senator Flatt: I would like to move that page 2 of the Journal of the Second Day be revised to show that the positions assigned to Arthur Herk and John Koehn be reversed, and show Arthur Herk as Bill Clerk and John Koehn as Calendar Clerk.

This motion prevailed.

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

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

W. J. TROUT, Secretary.

FIFTH DAY

Bismarck, January 8, 1949

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

Prayer by the Chaiplain, Rev. Oscar Holt of Mandan.

Roll Call: All Senators present except Senators Albers, Braun, Bridston, Day, Feton, Foss, Freed, Krenz, Leno, Mehlhaff, Morgan, Nelson of Griggs and Steele, Olson of Barnes, O'Brien, Pyle, Sandness, Schrock, Stucke, Torno, Troxel, Wahlund, Welander, Wolf and Work.

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

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

On page 15, line 38, add the letter "s" to the word picture.

And when so corrected recommends that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

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

Senator Flatt moved that the Senate do now recess until 1:45 P. M., January 10, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FIFTH DAY AFTER RECESS

AND SEVENTH DAY

Bismarck, January 10, 1949

The Senate convened at 1:45 P. M., pursuant to recess taken, the President presiding.

The Senate was on the Seventh Order of business. Senator Streibel: Mr. President: The Committee you appointed for the purpose of making Chaplain Service arrangements has contacted the Ministerial Association and agreed to accept their recommendations as follows:

SENATE

- Jan. 4, 5, 6: Rev. Opie S. Rindahl (Bis. 642) Trinity Lutheran, Bismarck.
- Jan. 7,8,9: Rev. Oscar Holt (Man. 730) Burns Methodist, Mandan.
- Jan. 10, 11, 12, 13: Father Wm. F. Garvin (Bis. 252) Cathedral of the Holy Spirit.
- Jan. 14, 15, 16: Rev. Jos. Bachman (Bis. 1886) First Presbyterian, Bismarck.
- Jan. 17, 18, 19: Rev. Paul G. Hayes (Bis. 556) McCabe Methodist, Bismarck.
- Jan. 20, 21, 22, 23: Rev. G. W. Stewart (Man. 328) Presbyterian, Mandan.
- Jan. 24, 25, 26: Rev. Edward Kary (Bis. 1056) Bismarck Baptist, Bismarck.
- Jan. 27, 28, 29: Rev. Edwin N. Oster (Bis. 2688) Bismarck Gospel Tabernacle.
- Jan. 30, 31, Feb. 1, 2: Rev. O. O. Andvik, (Man. 527) Lutheran Church, Mandan.
- Feb. 3, 4, 5. Rev. Roy E. Wiegand (Bis. 2842) First Baptist, Bismarck.
- Feb. 6, 7, 8: Major H. J. Nichols (Bis. 521) Salvation Army, Bismarck.
- Feb. 9, 10, 11, 12: Father Chas. Schneider (Man. 113) St. Joseph's, Mandan.
- Feb. 13, 14, 15: Rev. A. E. Smith (Bis. 1340) St. George's, Bismarck.
- Feb. 16, 17, 18: Father R. .A. Feehan (Bis. 760) St. Mary's, Bismarck.
- Feb. 19, 20, 21, 22: Rev. E. D. Murdock (Man. 741) Christ Episcopal, Mandan.
- Feb. 23, 24, 25: Rev. G. A. Johns, (Bis. 659) First Lutheran, Bismarck.

Feb. 26, 27, 28: Rev. Arthur G. Hewitt (Bis. 3245J) Church of Nazarene, Bismarck.

Mar. 1, 2, 3, 4: Rev. A. H. Marzolf (Bis. 1472) Evangelical U. N., Bismarck.

HOUSE

Jan. 4, 5, 6: Father Schneider (Man. 113) St. Joseph's, Mandan.

Jan. 7, 8, 9. Rev. Roy Wiegand (Bis. 2842) First Baptist, Bismarck.

Jan. 10, 11, 12, 13: Rev. A. E. Smith (Bis. 1340) St. George's, Bismarck.

Jan. 14, 15, 16: Rev. Edwin Oster (Bis. 2688) Bismarck Gospel Tabernacle.

Jan. 17, 18, 19: Rev. A. G. Hewitt (3245J) Church of Nazarene, Bismarck.

Jan. 20, 21, 22, 23: Father Feehan (Bis. 760) St. Mary's, Bismarck.

Jan. 24, 25, 26: Rev. Edward Kary (Bis. 1056) Bismarck Copal, Mandan.

Jan. 27, 28, 29: Maj. H. J. Nichols (Bis. 521) Salvation Army, Bismarck.

Jan. 30, 31, Feb. 1, 2: Rev. O. S. Rindahl (Bis. 642) Trinity Lutheran, Bismarck.

Feb. 3, 4, 5: Rev. G. W. Stewart (Man. 328) Presbyterian Church, Mandan.

Feb. 6, 7, 8. Rev. A. H. Marzolf (Bis. 1472) Evangelical U. B., Bismarck.

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Feb. 16, 17, 18: Rev. O. O. Andvick (Man. 527) Lutheran, Mandan.

Feb. 19, 20, 21, 22: Rev. Edward Kary (Bis. 1056) Bismarck Baptist, Bismarck.

Feb. 23, 24, 25: Rev. Oscar Holt (Man. 730) Burns Methodist, Mandan.

Feb. 26, 27, 28: Rev. Paul G. Hayes (Bis. 556) McCabe Methodist, Bismarck.

Mar. 1, 2, 3, 4: Father Garvin (Bis. 252) Cathedral of the Holy Spirit.

The question being on selection of Chaplains for the Session the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

ROLL CALL

Those voting in the affirmative were:

Albers	Freed	Schoeder
Bilden	Leno	Schrock
Bjorlie	Lichty	Shure
Blume	Lynch	Solberg
Brant	Kamrath	Spiekermeier
Braun	Mehlhoff	Strand

Bridston	Morgan	Streibel
Brunsdale	Nelson, McKenzie	Torno
Coghlan	Nordhougen	Troxel
Day	Olson, Barnes	Tuff
Duffy	Olson, Mountrail	Welander
Feton	Page	Wolf
Flatt	Reinke	Work
Foss	Rue	
Fraser	Sandness	

Absent and not voting:

Krenz	O'Brien	Stucke
Nelson, Griggs- Steele	Pyle	Wahlund

So said ministers were declared elected to serve as chaplains during the session.

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

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

KENNETH L. MORGAN, Acting Secretary.

SEVENTH DAY

Bismarck, January 10, 1949

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

Prayer by Chaplain Rev. Adolph Pubyl, of Bismarck.

Roll Call: All Senators present except Senators Krenz, Stucke and Wahlund.

A quorum was declared present by the President.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifth day and recommends that the same be corrected as follows:

Page 19, line 21, correct the spelling of the name Nordhougen.

That the attention of the printer be called to the numbering of the pages of the Journal and that the same be numbered consecutively.

And when so corrected recommends that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

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

Senator Brunsdale moved that the Senate recess until 1:45 P. M., January 11, 1949, which motion prevailed.

KENNETH L. MORGAN, Acting Secretary.

SEVENTH DAY AFTER RECESS
AND EIGHTH DAY

Bismarck, January 11, 1949

The Senate convened at 1:45 P. M., pursuant to recess taken, the President presiding.

The Senate was on the seventh order of business.

Senator Reinke: Mr. President: Your Committee on Mileage and Per Diem makes the following report:

Dist.	NAME AND ADDRESS	N. P.	G. N.	Soo	Milw.	Car	Bus	TOTAL
	1. Franklin Page, Hamilton						700	700
	2. Walter Troxel, Berthold		44	380		16		440
	3. Harry O'Brien, Park River	388	284					672
	4. Rilie R. Morgan, Grafton						650	650
	5. Oliver E. Bilden, Northwood	388	152					540
	6. Carroll E. Day, Grand Forks	388	152					540
	7. J. B. Bridston, Grand Forks	388	156					544
	8. C. N. Brunsdale, Mayville	388	112					500
	9. W. H. Shure, Fargo	388						388
	10. Ken. Pyle, West Fargo	388				14		402
	11. Joe Spiekermeier, Sheldon					478		478
	12. W. J. Braun, Wahpeton					500		500
	13. Oscar Wahlund, Cogswell					430		430
	14. J. L. Flatt, Sheldon	472				6		478
	15. P. L. Foss, Valley City					272		272
	16. Steven C. Nelson, Finley	388	170			20		578
	17. Arnold Bjorlie, Pekin	388	240			16		644
	18. Hugh J. Work, Langdon	388	364					752
	19. John Coghlan, Rolla					500		500
	20. Orris Nordhougen, Leeds					420		420
	21. Clyde Duffy, Devils Lake	420	64					484
	22. E. B. Lichty, Cando					464		464
	23. G. I. Feton, Jamestown	204						204
	24. A. J. Sandness, LaMoure					350		350
	25. Alfred Welander, Fullerton					30	336	366
	26. E. H. Brant, Linton					132		132
	27. Milton Rue, Bismarck					2		2
	28. Duncan Fraser, Omemee		560					560
	29. Walter R. Blume, Glenburn			380		30		410
	30. R. E. Wolf, New Salem						70	70
	31. A. Freed, Dickinson					210		210
	32. C. W. Schrock, New Rockford					324		324
	33. R. M. Streibel, Fessenden	272		186		18		476

Dist.	NAME AND ADDRESS	N. P.	G. N.	Soo	Milw.	Car	Bus	TOTAL
34.	Emil Torno, Towner		86	380				466
35.	Edward Leno, Tuttle					32	88	120
36.	W. H. Mehlhaff, Wishek					204		204
37.	Joseph A. Reinke, Hankinson					596		596
38.	Melvin Olson, Nome					282		282
39.	Emil Strand, Fryburg					20	248	268
40.	R. H. Lynch, Fortuna			638		28		666
41.	Hjalmer Nelson, Schaffer						506	506
42.	Wm. H. Tuff, Barton		144			20	250	414
43.	Reinhart Krenz, Sherwood		164	380		14		558
44.	Axel Olson, Parshall					300		300
45.	Iver Solberg, Ray					480		480
46.	E. C. Stucke, Garrison					154		154
47.	Wm. Kamrath, Leith	206				10		216
48.	Frank Albers, Center					86		86
49.	Lavern Schoeder, DeSart					300		300

KENNETH K. PYLE, Chairman
 JOSEPH A. REINKE
 JOS. SPIEKERMEIER.

Senator Reinke moved that the report of the Committee on Mileage and Per Diem be printed in the Journal and laid over one Legislative Day, which motion prevailed.

Senator Flatt: I move that we employ Joe Eisele as Night Watchman.

And so the roll was called and there were: ayes, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Fraser	Olson, Mountrail
Bilden	Freed	Pyle
Bjorlie	Krenz	Reinke
Blume	Kamrath	Rue
Brant	Lynch	Sandness
Braun	Leno	Schoeder
Bridston	Mehlhaff	Schrock
Brunsdale	Morgan	Shure
Coghlan	Nelson, Griggs-	Spiekermeier
Day	Steele	Strand
Duffy	Nelson, McKenzie	Wahlund
Feton	Nordhougen	Welandar
Flatt	O'Brien	Wolf
Foss	Olson, Barnes	Work

Those voting in the negative were:

Lichty	Streibel	Troxel
Page	Torno	Tuff
Solberg		

Absent and not voting: Stucke

So Joe Eisele was declared elected as night watchman, and the president of the Senate administered the oath of office to such employee.

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

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

W. J. TROUT, Secretary.

EIGHTH DAY

Bismarck, January 11, 1949

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

Prayer by the Chaplain, Rev. Adolph Pubyl of Bismarck.
Roll Call: All Senators present except Senator Stucke.
A Quorum was declared present by the President.

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

Mr. President. Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifth Day after Recess and Seventh day and recommends that the same be corrected as follows:

Page 21, line 4, paragraph after the word business.

Page 21, line 10, strike out "678" and insert "642."

Page 21, line 22, correct the abbreviation of Jan.

Page 22, line 21, strike out 678 and insert 642.

And when so corrected recommends that the same be approved.

ORRIS G. NORDHOUGEN, Chairman.

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

Page 22, line 11, correct the spelling of Bismarck.

Page 22, line 17, strike out "Rev. Edward Kary (Bis. 1056) Bismarck and insert Rev. E. D. Murdock, Man. 741, Christ Episcopal, Mandan.

Senator Brunsdale moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the President.

President: We have some special business before the Senate. We recessed on the Third Day according to the Journal until 2:30 P. M. today. At that time Senator Schrock made the following motion: "I, therefore move at this time that the motion by which the President Pro Tem was elected be reconsidered on Tuesday at 2:30 P. M." It is now 2:30. The motion without a doubt is improper and is out of order but being the motion has progressed on the Senate floor, and, I believe, that it was the understanding of the Senators present; there was an objection raised to the motion whether it was constitutionally and parliamentary right, and the objection was overruled by the chair, and I am going to take the position that it was the intent and understanding of the Senate that they were voting on the reconsideration of the vote by which the President Pro Tem was elected, and I am going to declare that to be the intent of the motion and the question before the Senate at this time—that we vote to reconsider the vote by which the President Pro Tem was elected.

Senator Streibel: Mr. President: I rise to a question of privilege affecting the Senate. High honor that is justified comes to a very few individuals only, during ones' lifetime. By way of parenthesis I will say World War No. 2 was an exception. Whether it be great or small, honor always grows out of and is fed by public opinion. For this reason it is as unstable as is the food it eats. Honor is honor only when the recipient accepts it in a mood of altruistic sub-

missiveness. When it is acquired by means of arrogant ambition it immediately loses its luster, charm and all its value. It then no longer retains the characteristics of enhancement but becomes instead a parasite like unto a mistletoe which destroys the tree that feeds it.

The dispute in which the Senate is now involved was originally precipitated by the question "whom shall we honor with the title of president pro tem?" This altercation was further intensified by disregarding our rules of parliamentary procedure when we allowed the candidate to vote for himself. In order to correct this error of improper procedure the minority faction of the Senate prevailed upon Senator Schrock to move for the reconsideration of the vote by which Senator Joseph Bridston was elected president pro tem. Senator Schrock because of his absence had no knowledge of our procedure other than the one impropriety I mentioned before. It is therefore easy to understand how it came about that the Senator inadvertantly used the word motion when he meant to use the word vote. The argument that followed this motion can leave no doubt even in a biased mind as to his intention. That is—the intention to reconsider the vote by which the Senator from Grand Forks, Mr. Bridston was elected president pro tem. Up to this point all it required to cool our hot blood was to simply take another vote on the question whether or not Senator Bridston shall be our president pro tem. So far so bad which is bad enough—one would think. But no, that would be much too tame for this years Senate according to our presidents taste. Up to this point the parliamentary procedure required nothing more or less than for the president to put the question. It so happened that we had an informal dispute after we had recessed and the President told me in good faith that he was going to put the motion. This honorable gentleman has suddenly acquired a hunger and thirst for blood. Nothing, seemingly, will now satisfy him but a gory bull fight. So in order to be a less conspicuous target, I donned this grey suit for that reason. And so in order to gain his ends he proceeds to invite this Hercules of political prejudice to enter the Senate arena by refusing to put the question before the Senate, thereby disqualifying himself as presiding officer of the Senate on the immediately pending question. Therefore I will direct my requests to the president pro tem. If the Senator wishes to decline let him say so that I may then address the Secretary of the Senate.

Senator Streibel: This I would like to have in the Journal. That if you proceed against my wishes on the theory that we must vote on a reconsideration of the vote by which Senator Bridston was elected President Pro Tem, you are only considering for the second time what was agreed upon Friday last when we agreed to reconsider the vote by 23 to 21 votes. I still maintain that the only action needed to dispose of this matter is simply for the chair to state the question. Remember, this motion, if put, does not dispose of the motion that was passed Friday last.

The roll was called and there were ayes, 23; nays, 25; absent and not voting, 1.

JOURNAL OF THE SENATE,

ROLL CALL

Those voting in the affirmative were:

Albers	Lynch	Solberg
Bilden	Nelson, McKenzie	Spiekermeier
Bjorlie	Nordhougen	Streibel
Blume	Olson, Mountrail	Tuff
Fraser	O'Brien	Wahlund
Kamrath	Page	Welander
Leno	Schoeder	Wolf
Lichty	Schrock	

Those voting in the negative were:

Brant	Foss	Reinke
Braun	Freed	Rue
Bridston	Krenz	Sandness
Brunsdale	Mehlhoff	Shure
Coghlan	Morgan	Strand
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	Olson, Barnes	Work
Flatt	Pyle	

Absent and not voting:

Stucke

The question being on motion on re-consideration of vote by which President Pro Tem was elected.

President. The question is lost and the President Pro Tem remains as President Pro Tem.

Senator Bridston:

To the loyal members of the majority coalition faction I want to express my sincere and humble thanks. To each one of you I am deeply indebted.

The cold war that has been waged against majority faction in connection with my election as president pro tem has been interesting, but I would be hypo-critical to give anyone the impression that I have enjoyed it. I hope it does not establish a precedent in the legislative halls of North Dakota.

The Senate is now organized. Let us take stock of ourselves. There will be some controversial issues based on an honest differences of opinion. Debate over such issues are healthy and democratic.

Let each one of us avoid, however, and this applies especially to the new members, as far as possible, the scrutinizing of bills only from the political angle, regardless of who sponsors them. Ask yourself the question: How will the enactment of this bill into a law affect the State of North Dakota? Before you let anyone, regardless of his position, in this August body, talk you into either supporting or opposing a proposed law. Ask him, and ask yourself: How will this affect the people of North Dakota? Let us avoid, as far as possible, opposing sound legislation simply to put some state official on the spot politically.

We have all taken an oath to faithfully discharge the duties of our office as state Senators. Let us live up to this oath and the golden rule "Do unto others as you would have others do unto you."

REPORT OF SELECT COMMITTEE

Mr. President: Your select Committee on Committees recommends the following Senate standing committee assignment:

AGRICULTURE—Troxel, Chairman; Kamrath, Vice Chairman; Flatt, Wahlund, Reinke, Lichty, Krenz, Tuff, Sandness, Welander, Pyle, Schoeder, Coghlan, Bjorlie, Strand.

APPROPRIATIONS—Morgan, Chairman; Brunsdale, Vice Chairman; Stucke, Brant, Streibel, Braun, Foss, Nelson of McKenzie, Rue, Nordhousen, Day, Wolf, Shure, Blume, Freed, Duffy, Welander.

EDUCATION—Sandness, Chairman; Nelson of Griggs and Steele, Vice Chairman; Bilden, Morgan, Nelson of McKenzie, Mehlhaff, Schrock, Olson of Barnes, Wahlund, Torno, Leno, Reinke, Lichty, Strand, Solberg.

FINANCE AND TAXATION—Brant, Chairman; Bridston, Vice Chairman; Lynch, Page, Olson of Mountrail, Brunsdale, Schrock, Olson of Barnes, Wolf, Work, Nordhousen, Fetton, Spiekermeier, Krenz, Pyle.

JUDICIARY—Day, Chairman; Shure, Vice Chairman; Lynch, Duffy, Torno, Bilden, Flatt, Albers, Braun, Leno, Page, Spiekermeier, Nelson of Griggs and Steele, Fraser Solberg.

STATE AND FEDERAL GOVERNMENT—Flatt, Chairman; Rue, Vice Chairman; Streibel, Bridston, Kamrath, Foss, Olson of Mountrail, Work, O'Brien, Torno, Schoeder, Mehlhaff, Blume, Freed, Coghlan.

GENERAL AFFAIRS—Fetton, Chairman; Streibel, Vice Chairman; Mehlhaff, Nelson of McKenzie, Page, Leno, Rue, Solberg, Troxel, Fraser, Flatt, Foss, Day.

INDUSTRY & BUSINESS—Rue, Chairman; Page, Vice Chairman; Bilden, Braun, Lynch, Bridston, Nordhousen, Shure, Wolf, Foss, Schoeder, Freed, Brunsdale.

LABOR RELATIONS—Foss, Chairman; Olson of McKenzie, Vice Chairman; Pyle, Kamrath, Morgan, Albers, Mehlhaff, Blume, Nelson of Griggs & Steele, Schoeder, Coghlan, Welander, Strand.

NATURAL RESOURCES—Braun, Chairman; Solberg, Vice Chairman; Troxel, Kamrath, Reinke, Lichty, Olson of Barnes, Blume, Sandness, Bjorlie, Krenz, Fraser, Coghlan.

POLITICAL SUBDIVISIONS—Shure, Chairman; Fetton, Vice Chairman; Schrock, Duffy, Lynch, Brant, Wahlund, Morgan, Wolf, Work, Tuff, Torno, Lichty.

SOCIAL WELFARE—Olson of Barnes, Chairman; Mehlhaff, Vice Chairman; Bilden, Reinke, Schrock, Brant, O'Brien, Krenz, Spiekermeier, Foss, Albers, Torno, Tuff.

TRANSPORTATION—Work, Chairman; Pyle, Vice Chairman; Streibel, Nelson of Griggs & Steele, Nordhousen, Strand, Nelson of McKenzie, Day, Spiekermeier, Fetton, O'Brien, Sandness, Coghlan.

VETERAN'S AFFAIRS—Krenz, Chairman; O'Brien, Vice Chairman; Flatt, Wahlund, Rue, Leno, Bridston, Albers, Duffy, Bjorlie, Torno, Welander, Freed.

DELAYED BILLS—Reinke, Chairman; Streibel, Page, Nelson of McKenzie, Brunsdale.

EMPLOYMENT—Flatt, Chairman; Nordhousen, Braun, Leno, Work.

ENROLLED & ENGROSSED BILLS—Torno, Chairman; Lichty, Strand, Bilden, Feton.

MILEAGE & PER DIEM—Pyle, Chairman; Spiekermeier, Reinke.

REVISION & CORRECTION OF JOURNAL—Leno, Chairman; Shure, Albers.

RULES—Brunsdale, Chairman; Nordhougen, Page, Streibel, Brant, Nelson of McKenzie, Day, Olson of Mountrail, Duffy.

LT. GOV. C. P. DAHL, Chairman

R. H. LYNCH

R. M. STREIBEL

C. N. BRUNSDALE

ORRIS G. NORDHOUGEN

J. B. BRIDSTON

RILIE R. MORGAN.

Senator Morgan moved that the Report be printed into the Journal and laid over one legislative day, which motion prevailed.

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

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

W. J. TROUT, Secretary.

NINTH DAY

Bismarck, January 12, 1949

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

Prayer by the Chaplain Rev. Adolph Pubyl, of Bismarck.

Roll call: All Senators present except Senator Stucke.

A quorum was declared present by the President.

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

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

Page 26, line 49, correct spelling of the word "administered."

Page 28, line 33 insert the word "not" between the words "was" and going."

Page 28, line 42, after the word "question," strike out the balance of the paragraph.

And when so corrected recommends that the same be approved.

ORRIS G. NÖRDHOUGEN, Chairman.

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

Senator Brant: Your committee that was appointed a few days ago to confer with the Board of Administration in regard to janitor work for this session, beg leave to report that arrangements had already been made by the Board of Administration for the janitor work by some of the present employees doing overtime. The consideration is \$2100.00. The House has already adopted a report approving the arrangement and that is about all there is to report. There will be a bill or a concurrent resolution providing for the pay for the janitor work. I move that the report be adopted.

The motion to adopt this report prevailed.

Senator Morgan: I move that the report of the Committee on Committees be amended as follows.

Judiciary Committee, strike out the name Flatt and insert the name Feton.

State and Federal Government, strike out the name Torno and insert the name Troxel.

Social Welfare, strike out the name Foss and insert the name Freed.

Social Welfare, strike out the name Torno and insert the name Troxel.

Labor Relations, strike out the name McKenzie and insert in lieu thereof the name Mountrail.

The motion to amend said report prevailed.

Senator Morgan moved that the report of the Committee on Committees as amended be adopted, which motion prevailed.

Senator Reinke moved that the report of the Committee on Mileage and Per Diem be adopted as printed in the Journal.

The question being on the Report on Mileage and Per Diem the roll was called and there were: ayes, 48; nays, 0; absent and not voting, 1.

ROLL CALL

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schoeder
Blume	Lynch	Schrock
Brant	Mehlhoff	Shure
Braun	Morgan	Solberg
Bridston	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhousen	Torno
Duffy	Olson, Barnes	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	O'Brien	Wahlund
Foss	Page	Welanders
Fraser	Pyle	Work
Freed	Reinke	Wolf
Kamrath		

Absent and not voting:

Stucke

The president declared the motion carried and the report adopted.

Senator Day: I move that the names on the Christmas tree here be rearranged so that they be more descriptive of the tremendous mental effort of the Senate the last two or three days so that the last three names will appear as "Shure Tuff Work," thereby automatically providing an appropriate benediction for each roll call.

Senator Braun: I make a substitute motion that the matter be referred to the Committee on Natural Resources.

President: Your motion is granted.

FIRST READING OF SENATE BILLS

The Legislative Research Committee introduced:

Senate Bill No. 1. A Bill for an Act to provide for the issuance, sale and delivery of general obligation bonds of the state of North Dakota in the principal amount not exceeding twenty-seven million dollars for payment of adjusted compensation to North Dakota veterans of World War II; to provide

tax levies to pay such bonds and to appropriate the proceeds of such levies to the sinking fund therefor and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

The Legislative Research Committee introduced:

Senate Bill No. 2. A Bill for an Act to provide for payment of adjusted compensation to North Dakota veterans of World War II who served in the armed forces of the United States or governments allied with the United States government in World War II between September 16, 1940 and September 2, 1945 and to beneficiaries of such persons; to prescribe the powers and duties of state officers with respect thereto; to prescribe penalties for violations of the provisions of this Act; providing an appropriation and declaring an emergency.

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

The Legislative Research Committee introduced:

Senate Bill No. 3. A Bill for an Act to amend and reenact sections 61-0503 of the 1947 Supplement to the North Dakota Revised Code of 1943 and 61-0514 of the North Dakota Revised Code of 1943, relating to elections in irrigation districts.

Was read the first time and referred to the Committee on Natural Resources.

The Legislative Research Committee introduced:

Senate Bill No. 4. A Bill for an Act to amend and reenact section 32-1723 of the North Dakota Revised Code of 1943, relating to judgments in action for waste.

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

The Legislative Research Committee introduced:

Senate Bill No. 5. A Bill for an Act to correct a typographical error appearing in subsection 8 of section 11-1006 of the North Dakota Revised Code of 1943.

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

The Legislative Research Committee introduced:

Senate Bill No. 6. A Bill for an Act transferring forty-two thousand two-hundred eighty-five dollars and eighty-four cents from the utility valuation fund to the general fund.

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

The Legislative Research Committee, at the request of the Board of Administration introduced:

Senate Bill No. 7. A Bill for an Act to amend and reenact section 48-0606 of the North Dakota Revised Code of 1943, relating to the Board of Administration postage revolving fund, appropriating or reappropriating to said fund not to exceed thirty thousand dollars and declaring an emergency.

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

The Legislative Research Committee, at the request of the State Board of Administration introduced:

Senate Bill No. 8. A Bill for an Act to amend and reenact

Section 15-3402 of the North Dakota Revised Code of 1943, relating to compulsory school attendance of deaf, mute, blind or feeble-minded persons.

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

The Legislative Research Committee, at the request of the State Board of Administration introduced:

Senate Bill No. 9. A Bill for an Act to amend and reenact section 25-0214 of the North Dakota Revised Code of 1943, relating to the expense for care of patients at the state hospital and declaring an emergency.

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

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 10. A Bill for an Act to amend and reenact sections 40-0112, 40-1606 and 54-1406 of the North Dakota Revised Code of 1943, relating to claims against municipalities and prescribing penalties.

Was read the first time and referred to the Committee on Political Subdivisions.

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 11. A Bill for an Act to amend and reenact section 40-1706 of the North Dakota Revised Code of 1943, relating to the disbursement of city funds and permitting the issuance of payroll checks by the city treasurer upon a single order from the governing board.

Was read the first time and referred to the Committee on Political Subdivisions.

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 12. A Bill for an Act to amend and reenact section 40-2002 of the North Dakota Revised Code of 1943, relating to assistant city attorneys.

Was read the first time and referred to the Committee on Political Subdivisions.

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 13. A Bill for an Act to amend and reenact section 40-2103 of the North Dakota Revised Code of 1943, relating to elections in council cities.

Was read the first time and referred to the Committee on Political Subdivisions.

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 14. A Bill for an Act to amend and reenact section 40-2105 of the North Dakota Revised Code of 1943, relating to compensation of inspectors, judges, and clerks at municipal elections.

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

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 15. A Bill for an Act to amend and reenact sections 40-3801 and 40-3802 of the 1947 Supplement to the

North Dakota Revised Code of 1943, relating to public libraries and reading rooms.

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

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 16. A Bill for an Act to amend and reenact section 40-3904 of the North Dakota Revised Code of 1943, relating to vacating of streets and alleys in municipalities.

Was read the first time and referred to the Committee on Political Subdivisions.

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 17. A Bill for an Act to provide for combining employees pension systems and firemen's relief association pension funds in certain cities, providing for a board of trustees therefor, authorizing the placing of certain monies in such fund, and repealing all acts or parts of acts in conflict herewith.

Was read the first time and referred to the Committee on General affairs.

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 18. A Bill for an Act to provide for combining employees pension systems and police pension systems in certain cities, providing for a board of trustees therefor, authorizing taxes to be levied for such fund, and repealing all acts or parts of acts in conflict herewith.

Was read the first time and referred to the Committee on Political Subdivisions.

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 19. A Bill for an Act providing for civil service systems in park districts within certain cities.

Was read the first time and referred to the Committee on Political Subdivisions.

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 20. A Bill for an Act providing for employees pension in certain park districts, providing for a tax to be levied for the same.

Was read the first time and referred to the Committee on Political Subdivisions.

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 21. A Bill for an Act to provide for the collection of service charges made by municipal utilities.

Was read the first time and referred to the Committee on Political Subdivisions.

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 22. A Bill for an Act to provide for the assessment of costs of work done by municipalities necessary for the general welfare.

Was read the first time and referred to the Committee on Political Subdivisions.

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 23. A Bill for an Act to amend and reenact subsection 8 of section 40-0501 of the North Dakota Revised Code of 1943, relating to powers of municipalities.

Was read the first time and referred to the Committee on Political Subdivisions.

The Legislative Research Committee at the request of The League of North Dakota Municipalities introduced:

Senate Bill No. 24. A Bill for an Act to provide for the returning to political subdivisions of fifteen percent of all intangible taxes originating in such political subdivisions, and repealing all acts or parts of acts in conflict herewith.

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

The Legislative Research Committee, at the request of the Bank of North Dakota introduced:

Senate Bill No. 25. A Bill for an Act to amend and reenact section 38-0901 of the North Dakota Revised Code of 1943, relating to oil, gas and mineral rights reserved on transfer of state lands.

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

The Legislative Research Committee, at the request of the Bank of North Dakota introduced:

Senate Bill No. 26. A Bill for an Act to amend and reenact section 15-4801 of the North Dakota Revised Code of 1943, relating to calling elections to increase school district debt limits.

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

The Legislative Research Committee, at the request of the Bank of North Dakota introduced:

Senate Bill No. 27. A Bill for an Act to amend and reenact section 40-2410 of the North Dakota Revised Code of 1943, relating to payment of part of cost of improvement by municipalities through general taxation.

Was read the first time and referred to the Committee on Political Subdivisions.

The Legislative Research Committee, at the request of the State Department of Health introduced:

Senate Bill No. 28. A Bill for an Act relating to prevention of congenital syphilis; providing for the taking of a sample of blood of pregnant women for submission to an approved laboratory for a standard serological test for syphilis; defining approved laboratory and standard serological test; defining duties of all physicians and non-licensed practitioners in attendance of such women; requiring report and certificate of every birth and stillbirth by physician or others, providing penalties for violation and making an appropriation for the state department of health to enable it to comply with the provisions hereof.

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

The Legislative Research Committee, at the request of the State Department of Health introduced:

Senate Bill No. 29. A Bill for an Act relating to the protection of the public health; providing for the grading and labeling of milk and milk products; defining terms and providing for remedies and penalties.

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

The Legislative Research Committee, at the request of the Department of Agriculture introduced.

Senate Bill No. 30. A Bill for an Act governing the production, processing, labeling and sale of milk, cream and liquid milk products; defining milk, cream, liquid milk products, skim milk, pasteurization and pasteurized; regulating the pasteurization, sale, possession, advertising, labeling, and establishing grades of milk and providing a penalty for the violation of this Act.

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

The Legislative Research Committee, at the request of the Secretary of State introduced:

Senate Bill No. 31. A Bill for an Act to amend and reenact sections 16-1315, 16-1320, 16-1322, 16-1324, 16-1330, 16-1336 and 16-1337 of the North Dakota Revised Code of 1943, relating to canvassing returns of elections.

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

The Legislative Research Committee, at the request of the Commissioner of Insurance introduced:

Senate Bill No. 32. A Bill for an Act to prohibit domestic insurers from doing certain insurance business in states outside of North Dakota unless authorized in such other states.

Was read the first time and referred to the Committee on Industry and Business.

The Legislative Research Committee, at the request of the Commissioner of Insurance introduced:

Senate Bill No. 33. A Bill for an Act to amend and reenact section 26-2422 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to procuring and keeping in force reinsurance of all extraordinary industrial risks of the state of North Dakota and its political subdivisions and declaring an emergency.

Was read the first time and referred to the Committee on Industry and Business.

The Legislative Research Committee, at the request of the Commissioner of Insurance introduced:

Senate Bill No. 34. A Bill for an Act to amend and reenact section 18-0101 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to the fire marshal department.

Was read the first time and referred to the Committee on Industry and Business.

The Legislative Research Committee, at the request of the Aeronautics Commission introduced:

Senate Bill No. 35. A Bill for an Act to amend and reenact section 35-1301 of the North Dakota Revised Code of 1943, relating to repairmen's liens.

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

The Legislative Research Committee, at the request of the Aeronautics Commission introduced:

Senate Bill No. 36. A Bill for an Act to amend and reenact section 2-0507 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to the state airways system.

Was read the first time and referred to the Committee on General Affairs:

The Legislative Research Committee, at the request of the Livestock Sanitary Board introduced:

Senate Bill No. 37. A Bill for an Act to amend and reenact sections 36-1501, 35-1502, 36-1508, 36-1509, 36-1511, 36-1512 and 36-1513 of the North Dakota Revised Code of 1943, relating to bovine tuberculosis and Bang's disease.

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

The Legislative Research Committee, at the request of the Livestock Sanitary Board introduced:

Senate Bill No. 38. A Bill for an Act to amend and reenact section 36-0119 of the North Dakota Revised Code of 1943, relating to emergency livestock epidemic fund and making an appropriation therefor.

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

The Legislative Research Committee, at the request of the Game and Fish Department introduced:

Senate Bill No. 39. A Bill for an Act to amend and reenact sections 20-0105, 20-0106 and subsection 4 of 20-0503 of the North Dakota Revised Code of 1943, making it legal to shine for raccoon.

Was read the first time and referred to the Committee on Natural Resources.

The Legislative Research Committee, at the request of the Game and Fish Department introduced:

Senate Bill No. 40. A Bill for an Act to amend and reenact section 20-0601 of the North Dakota Revised Code of 1943, making it legal to keep in possession fish, with the exception of pike, which were taken with hook and line regardless of seasonal limitations and declaring an emergency.

Was read the first time and referred to the Committee on Natural Resources.

The Legislative Research Committee, at the request of the Game and Fish Department introduced:

Senate Bill No. 41. A Bill for an Act to amend and reenact section 20-0314 of the North Dakota Revised Code of 1943, relating to fees for commercial fishing licenses, and declaring an emergency.

Was read the first time and referred to the Committee on Natural Resources.

The Legislative Research Committee, at the request of the Game and Fish Department introduced:

Senate Bill No. 42. A Bill for an Act creating subsection 9 of section 20-0205 of the North Dakota Revised Code of 1943, relating to the powers of the state game and fish commissioner and authorizing the removal and disposition of surplus game, fish, fur-bearing animals, or birds from game refuges and farms.

Was read the first time and referred to the Committee on Natural Resources.

The Legislative Research Committee, at the request of the Game and Fish Department introduced:

Senate Bill No. 43. A Bill for an Act to amend and reenact sections 20-0501, 20-0502, 20-0801, 20-0802 and 20-0803 of the North Dakota Revised Code of 1943 and section 20-0703 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to open seasons on game birds, fish, and game animals and the variation of such open seasons by order or proclamation by the governor.

Was read the first time and referred to the Committee on Natural Resources.

The Legislative Research Committee, at the request of the Game and Fish Department introduced:

Senate Bill No. 44. A Bill for an Act to amend and reenact sections 20-0301 and 20-0306 of the North Dakota Revised Code of 1943, relating to requirements for licenses to hunt, trap, or fish and declaring an emergency.

Was read the first time and referred to the Committee on Natural Resources.

The Legislative Research Committee, at the request of the Game and Fish Department introduced:

Senate Bill No. 45. A Bill for an Act providing for the manner in which guns may be transported by vehicle and providing a penalty.

Was read the first time and referred to the Committee on Natural Resources.

The Legislative Research Committee, at the request of the Game and Fish Department introduced:

Senate Bill No. 46. A Bill for an Act making an emergency appropriation for state matching of federal funds which have been made available by the department of the interior, fish and wildlife service, known as the federal aid funds and for which matching funds are not now available and declaring an emergency.

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

The Legislative Research Committee, at the request of the Game and Fish Department introduced:

Senate Bill No. 47. A Bill for an Act to amend and reenact section 20-0217 of the North Dakota Revised Code of 1943, relating to the police powers of the game and fish commissioner, deputy commissioner and bonded appointees of the commissioner.

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

The Legislative Research Committee, at the request of the Superintendent of Public Instruction introduced.

Senate Bill No. 48. A Bill for an Act to provide for leave of absence due to illness for teachers in the public schools and state institutions; determining compensation, and defining terms.

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

The Legislative Research Committee, at the request of the

Superintendent of Public Instruction introduced.

Senate Bill No. 49. A Bill for an Act relating to salaries of county superintendents of schools; providing for increases of salary effective January 1, 1949; repealing all acts or parts of acts in conflict and declaring an emergency.

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

The Legislative Research Committee, at the request of the School District Reorganization Committee and the Superintendent of Public Instruction introduced:

Senate Bill No. 50. A Bill for an Act to amend and reenact sections 15-2401, 15-2403, 15-2409 and 15-2501 of the North Dakota Revised Code of 1943 and subsection 5 of section 15-5314 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to directors in common school districts; providing means for increasing the number of directors in certain districts, and providing for rural representation.

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

The Committee on Appropriations introduced:

Senate Bill No. 51. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Board of School District Reorganization.

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

The Committee on Appropriations introduced:

Senate Bill No. 52. 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.

The Committee on Appropriations introduced:

Senate Bill No. 53. 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.

The Committee on Appropriations introduced:

Senate Bill No. 54. A Bill for an Act making an appropriation to the State Historical Society for salary, clerkhire and miscellaneous expenses and maintenance of State Parks.

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

The Committee on Appropriations introduced:

Senate Bill No. 55. A Bill for an Act making an appropriation for the operating and maintenance expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

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

The Committee on Appropriations introduced:

Senate Bill No. 56. 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.

The Committee on Appropriations introduced:

Senate Bill No. 57. 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.

The Committee on Appropriations introduced:

Senate Bill No. 58. 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.

The Committee on Appropriations introduced:

Senate Bill No. 59. 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.

The Committee on Appropriations introduced:

Senate Bill No. 60. 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 first time and referred to the Committee on Appropriations.

The Committee on Appropriations introduced:

Senate Bill No. 61. A Bill for an Act making an appropriation for the administrative expenses of the Veterans' Aid Commission.

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

The Committee on Appropriations introduced:

Senate Bill No. 62. 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.

The Committee on Appropriations introduced:

Senate Bill No. 63. 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.

The Committee on Appropriations introduced:

Senate Bill No. 64. 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.

The Committee on Appropriations introduced:

Senate Bill No. 65. A Bill for an Act making an appropriation for the purpose of paying a deficiency in the appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; and declaring an emergency.

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

The Committee on Appropriations introduced:

Senate Bill No. 66. 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.

The Committee on Appropriations introduced:

Senate Bill No. 67. 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.

The Committee on Appropriations introduced:

Senate Bill No. 68. A Bill for an Act making an appropriation for inquest and burial of penal inmates, headstones for soldiers and sailors, action to release insane and list of new taxable lands.

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

The Committee on Appropriations introduced:

Senate Bill No. 69. 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.

The Committee on Appropriations introduced:

Senate Bill No. 70. A Bill for an Act making an appropriation for the financing of the operations of the State Soil Conservation Committee and the activities of the State Soil Conservation Districts.

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

The Committee on Appropriations introduced:

Senate Bill No. 71. 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, expenses of State Compacts and 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.

The Committee on Appropriations introduced:

Senate Bill No. 72. 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.

The Committee on Appropriations introduced:

Senate Bill No. 73. 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.

The Committee on Appropriations introduced:

Senate Bill No. 74. A Bill for an Act making an appropriation for the disbursement by the Public Welfare Board in providing public assistance to dependent children and to needy blind and providing child welfare services and services to crippled children, also for providing assistance to the needy aged and general assistance for relief to destitute and necessitous persons, and for the necessary costs of administration of all of the programs above mentioned.

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

The Committee on Appropriations introduced:

Senate Bill No. 75. 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.

The Committee on Appropriations introduced:

Senate Bill No. 76. 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.

The Committee on Appropriations introduced:

Senate Bill No. 77. A Bill for an Act making an appropriation for the purpose of paying a deficiency in postage, supplies, printing, furniture and fixtures and license plates of the Registrar of Motor Vehicles; and declaring an emergency.

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

The Committee on Appropriations introduced:

Senate Bill No. 78. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the

maintenance and operation of the State Highway Department.

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

The Committee on Appropriations introduced:

Senate Bill No. 79. A Bill for an Act making an appropriation out of the Highway Patrol Fund in the State Treasury, for the operation, maintenance, equipment, supplies, outfitting of patrolmen, travel and miscellaneous expenses for the Highway Patrol Branch.

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

The Committee on Appropriations introduced:

Senate Bill No. 80. A Bill for an Act making an appropriation for the purpose of paying salaries and miscellaneous expenses of the Workmen's Compensation Bureau.

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

The Committee on Appropriations introduced:

Senate Bill No. 81. 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.

The Committee on Appropriations introduced:

Senate Bill No. 82. A Bill for an Act making an appropriation for the purpose of operating and maintaining the Teachers' Insurance and Retirement Fund.

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

Senators Reinke, Olson of Barnes, Sandness, Leno, Olson of Mountrail and Tuff introduced:

Senate Bill No. 83. A Bill for an Act to amend and reenact Section 1 of Chapter 72 of the Session Laws of 1945, numbered in the 1947 Supplement as Section 54-0320. Providing for allowance to members of the Legislative Assembly, making an appropriation; and Declaring an emergency.

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

Senators Morgan, Flatt, Braun and Bridston introduced:

Senate Bill No. 84. A Bill for an Act to provide for a survey by research foundation to determine feasibility of establishing state-owned cement plant, and providing appropriation for such survey; authorizing industrial commission to establish a state-owned cement plant if deemed feasible; providing that said state-owned cement plant be designated as "The State of North Dakota, doing business as the North Dakota State Cement Plant"; granting power and authority to the industrial commission to manage and operate said plant, acquire property therefor by purchase, lease or eminent domain, and do all other acts necessary in the management thereof; providing for maintenance of civil actions by or against the state in connection with said state-owned cement plant; providing for annual audits of the operations of said plant; providing for bond issue of not to exceed Five Million (\$5,000,000.00) Dollars for the construction of said

plant; providing for the execution of mortgages on properties of the state acquired for said state-owned cement plant to be held in trust by the state treasurer as security for payment of bonds issued; providing for recording of said mortgages; authorizing issuance of bonds, amount, series, manner of execution, sale, to whom payable, maximum interest thereon, manner of payment, establishing fund for payment thereof in state treasurer's office; providing for levies for interest and principal of said bonds; making appropriations for payment of the bonds and for payment of expenses to put this act into effect; providing for investment of sinking fund, and exempting said bonds from state, county and municipal taxes.

Was read the first time and referred to the Committee on Industry and Business.

The Legislative Research Committee introduced:

Senate Concurrent Resolution A. Ratification proposed amendment to the Constitution of the United States relating to the terms of office of the President.

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

The Legislative Research Committee introduced:

Senate Concurrent Resolution B. A concurrent resolution providing for the amendment of subdivision 2 of section 216 of Article XIX of the Constitution of the state of North Dakota as amended.

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

The Committee on Employment introduced:

Senate Concurrent Resolution No. C. A Concurrent Resolution allowing use of the memorial hall for legislative employees' dances.

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

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

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

W. J. TROUT, Secretary.

TENTH DAY

Bismarck, January 13, 1949

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

Prayer by Chaplain Rev. Adolph Pribyl of Bismarck.

Roll Call: All Senators present except Senators Bilden, Bridston, Lynch and Stucke.

A quorum as declared present by the President.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Ninth day and recommends that the same be corrected as follows:

Page 34, line 46, correct the spelling of the word granted.

Pages 36, 37, 38, correct the spelling of the word legislative.

Page 43, line 18, correct the spelling of the word "making" and line 31 on the same page correct the spelling of the word "for" and "appropriations."

Page 47, strike out lines 33 and 34.

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

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

REPORT OF SELECT COMMITTEE

Mr. President. Your Select Committee on Public Printing makes the following report:

As to 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 that there be assigned to the presiding officer of the Senate, also to each member of the Senate, 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 new-

paper published in the state, and 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 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 Senate Bills unless otherwise ordered by the Senate; 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 resolutions, requiring action by the Senate, 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 10,000 letterheads and 6,000 number ten envelopes be printed as needed for the Senate; that the form of the Journal and the Calendar be the same as was adopted for the 1947 session.

J. B. BRIDSTON, Chairman.

Senator Brunsdale moved that the said report be laid over one legislative day, which motion prevailed.

FIRST READING OF SENATE BILLS

Senator Page introduced:

Senate Bill No. 85. A Bill for an Act to amend and reenact section 57-4114 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to deduction allowed for collection of motor fuel tax and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

Senators Rue, Nordhogen and Duffy introduced:

Senate Bill No. 86. A Bill for an Act relating to mineral reservation by the state of North Dakota and its agencies and political subdivisions and authorizing the release of mineral reservations on sales of real estate to the United States of America or any of its agencies and declaring an emergency.

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

Senator Flatt introduced:

Senate Bill No. 87. A Bill for an Act providing for survival of causes of action.

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

Senator Brant introduced:

Senate Bill No. 88. A Bill for an Act relating to payment and collection of real and personal property taxes, hail insurance taxes, and special assessment taxes; amending and reenacting section 57-2001 of the North Dakota Revised Code of 1943 and repealing section 57-2009 of the North Dakota Revised Code of 1943; providing for delinquency dates and penalties, and removing discount for early payment of real estate taxes.

Was read the first time and referred to the Committee on Finance and Taxation.

Senator Brant introduced:

Senate Bill No. 89. A Bill for an Act to amend and reenact section 57-0101 of the North Dakota Revised Code of 1943, relating to bond of tax commissioner.

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

Senators Rue, Bridston, Braun and Shure introduced:

Senate Concurrent Resolution No. "D." A concurrent resolution urging the Industrial Commission and The Bank of North Dakota to expand the Veterans' Loan Program.

Senator Rue Moved that Resolution "D" be printed in the Journal and laid over one legislative day, which motion prevailed.

Senator Coghlan introduced:

Senate Concurrent Resolution "E."

Senate Concurrent Resolution "E." A concurrent resolution petitioning the secretary of the Interior and the acting commissioner of Indian Affairs to take action with reference to claims awaiting presentation to the Indian Claims Commission.

Was read the first time and referred to the Committee on Natural Resources.

SENATE CONCURRENT RESOLUTION NO. D

Introduced by Senators Rue, Bridston,
Braun and Shure

A CONCURRENT RESOLUTION URGING THE INDUSTRIAL COMMISSION AND THE BANK OF NORTH DAKOTA TO EXPAND THE VETERANS' LOAN PROGRAM.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN.

1 WHEREAS, the thirtieth legislative assembly of the
2 state of North Dakota, 1947, enacted chapter 113 of the
3 1947 supplement to the North Dakota revised code of
3a 1943,

4 and

5 WHEREAS, there are many communities and local-
5a ities in

6 the state of North Dakota that do not have banks, trust
7 companies, savings and loan associations or other in-
7a stitu-

8 tions from which veterans may procure loans and ad-
8a vances of

9 credit, insured or guaranteed in part or in full by the
10 United States or any instrumentality thereof, and

11 WHEREAS, there are veterans in these communi-
11a ties and

12 localities who are desirous of procuring loans and ad-

12a vances

13 of credit, insured or guaranteed in part or in full by the
14 United States or any instrumentality thereof;

15 NOW, THEREFORE, BE IT RESOLVED, that we,
15a the members

16 of the thirty-first legislative assembly of the state of
17 North Dakota, do hereby respectfully urge the industrial
18 commission and the officers of the bank of North Da-
18a kota to

19 continue to make and to expand the operations of the
19a bank

20 in the making of loans and advances of credit, insured or
21 guaranteed in part or in full by the United States or any
22 instrumentality thereof, within recognized credit prac-
22a tices

23 and standard loan procedures to veterans desiring the
23a same,

24 it being the intent, sense and thought of this resolu-
24a tion to

25 procure through the industrial commission and the bank
25a of

26 North Dakota further service thereof to veterans through
27 the making of loans insured by or guaranteed in part
27a or in

28 full by the United States or any instrumentality thereof.

29 It is further the thought of the members of the thirty-
29a first

30 legislative assembly of the state of North Dakota that it
31 would be beneficial to all veterans of the state of North
32 Dakota, if the bank of North Dakota could render further
33 service contemplated by the law hereinbefore mentioned
34 where such loans are not locally available.

35 BE IT FURTHER RESOLVED that a copy of this
35a resolution

36 be forwarded to the industrial commission and the man-
36a ger

37 of the bank of North Dakota by the secretary of the
37a Senate.

Senator Flatt: I move that the rules be suspended and that we adopt Senate Concurrent Resolution "C."

The question being on the final passage of the Senate Concurrent Resolution "C" the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blunt	Mehlhoff	Shure
Brant	Nelson, Griggs-	Spiekermeier
Braun	Steele	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhousen	Torno
Duffy	Olson, Barnes	Troxel
Feton	O'Brien	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welarde
Fraser	Sandness	

Freed
Kamrath
Krenz

Reinke
Rue

Wolf
Work

Absent and not voting:

Bilden
Bridson
Brunsdale

Lynch
Morgan
Olson, Mountrail

Solberg
Stucke

So the Resolution passed and the title was agreed to.

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

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

W. J. TROUT, Secretary.

ELEVENTH DAY

Bismarck, January 14, 1949

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

Prayer by the Chaplain, Rev. Jos. Bachman, of Bismarck.

Roll Call: All Senators present except Senators Bilden, Duffy, Lynch, Mehlhaff, Nelson of McKenzie, Pyle, Strand, Stucke and We'ander.

A Quorum was declared present by the President.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Tenth day and recommends that the same be corrected as follows:

Page 49, line 28, add the letter "s" to the word make.

Page 50, strike out line one.

Page 51, line 47, correct the spelling of the word guaranteed.

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

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

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Rules have had under consideration the Senate rules for the thirty-first Legislative Assembly, and beg leave to report as follows.

That the rules of the 30th Legislative Assembly be adopted with the following amendments:

That rule No. 28 be amended in the fourth line by striking out the word "or" after the word "member" and inserting a comma in lieu thereof; and after the word "committee" in the same line insert the words "or Legislative Research Committee;"

That a new rule be inserted following rule No. 36 as follows:

"After first reading, all reference in the Journal to Senate and House bills shall be by number only."

That rule number 43 be amended as follows:

In line seven strike out the word "ten" and insert the words twenty-five in lieu thereof:

That rule number 58 be amended by striking the period at the end of the sentence and adding the following language: "and his remarks shall be recorded."

That rules be renumbered accordingly.

Your Committee further recommends that the Senate concur in the House Amendments to the Joint Rule, which provides for the elimination of Joint Rule number 7; and that said rules be renumbered accordingly.

C. NORMAN BRUNSDALE, Chairman.

Senator Brunsdale moved that the report of the Rules Committee, as well as the complete rules, as amended there-

by, be printed in the Journal and laid over for one legislative day, which motion prevailed.

SENATE RULES

1. CALL TO ORDER

The regular sessions of the Senate shall begin at two o'clock P.M., when the President shall take the chair and call the Senate to order. After prayer by the Chaplain, the roll of members shall be called and the names of the absentees entered upon the Journal of the Senate. If a quorum be present, the President shall then proceed with the regular order of business.

2. ABSENTEES

No member or officer of the Senate, unless he, from illness or other cause, shall be unable to attend, shall absent himself from a session of the Senate, during an entire day, without first having obtained leave of absence, and no one shall be entitled to draw pay while absent more than one day without leave.

3. QUORUM

A quorum for the transaction of business shall consist of a majority of members elected to the Senate, but a smaller number may adjourn from day to day, and may compel the attendance of absent members.

4. ORDER OF BUSINESS

The order of business shall be as follows:

1. Prayer by the Chaplain.
2. Calling the Roll.
3. Reference to the Journal.
4. Presentation of petitions and communications.
5. Reports of Standing Committees.
6. Consideration of Amendments.
7. Reports of Select Committees.
8. Motions and Resolutions.
9. First reading of Senate Bills, memorials and resolutions.
10. Second reading of the same.
11. Consideration of messages from the House.
12. First reading of House bills, memorials and resolutions.
13. Second reading of the same.
14. Unfinished business.
15. Signing of Bills, Resolutions and Memorials.
16. Announcements.

5. REFERENCE TO THE JOURNAL

The Secretary shall, each evening deliver to the printer, having the contract for printing the legislative journals, a complete copy of the Senate Journal. Printed copies of the same shall be delivered before 9:00 o'clock A.M., of the following calendar day to the Secretary, who shall cause a copy of the same to be placed immediately on the desk of each member. The committee on revision and correction of the Journal shall, before the beginning of the next legislative day, carefully examine and review the same. Any mistake therein shall be noted by the committee and reported to the Senate for action.

6. PRESENTATION OF PETITIONS AND COMMUNICATIONS

Petitions and communications addressed to the Senate shall be presented by the President, but their content shall not be included in the Journal except by vote of the Senate.

7. DUTIES OF THE PRESIDENT

- a. The President shall preside over the Senate, and be charged with all the powers and duties pertaining to such presiding office.
- b. He shall preserve order and decorum, and in case of disorderly conduct or disturbance in the galleries or the corridors, he or the chairman of the committee of the whole may order the same to be cleared.
- c. He shall sign all acts, addresses, resolutions, memorials, writs, warrants and subpoenas of or issued by order of the Senate and all vouchers for payment of money out of the legislative expense fund of the Senate.
- d. He shall have general supervision over all Senate employees.

8. DUTIES OF SECRETARY

The Secretary of the Senate shall:

- a. Keep correct journals of the proceedings of the Senate.
- b. Have the custody of all records, accounts and other papers committed to him.
- c. Prepare a bulletin board upon which shall be posted a list of committee meetings and any other announcements or notices.
- d. Neither the Secretary nor his assistants shall permit any records or papers belonging to the Senate to be taken out of their custody otherwise than in the regular course of business. The Secretary shall report all missing bills, resolutions and papers to the President; he shall have general supervision of all clerical duties appertaining to the business of the Senate; shall perform, under the direction of the President, all duties pertaining to the office, and shall also keep a book showing the situation and progress of all the bills, memorials and joint resolutions, including a complete record of all actions taken thereon, and shall prepare, have printed and distributed to the members a daily calendar detailing the action had and pending on all measures.
- e. At the close of each session, he shall deposit for safekeeping in the office of the Secretary of State, all books, bills, documents, resolutions, and papers in the possession of the Senate, correctly labeled, folded and classified. The Journal need not be deposited until it is completed fully and is indexed; and
- f. Perform such other duties as shall be assigned him by the Senate.

9. DUTIES OF SERGEANT-AT-ARMS

The Sergeant-at-Arms of the Senate, under the

direction of the presiding officer, shall be the executive officer of the body for the enforcement of all rules adopted by the Senate for the regulation of the Senate. The Senate floor shall be at all times under his immediate supervision, and he shall see that the various subordinate officers perform the duties to which they are especially assigned and perform all other services and duties pertaining to his office and as directed by the President of the Senate.

10. CALL OF THE SENATE

Eight members of the Senate may order a call of the Senate and cause absent members to be sent for, but a call must not be made while a vote is being taken. The call being moved, the President shall require those desiring the call to rise, and if eight or more members shall rise, the call shall be ordered. The call being ordered, the Sergeant-at-Arms shall close the door and allow no members to leave the room. The Secretary shall then call the roll and furnish the Sergeant-at-Arms with a list of those members absent without leave, and that officer must proceed forthwith to find and bring in such absentees. While the Senate is under call, no business can be transacted except to receive and act upon the report of the Sergeant-at-Arms and no motion is in order except a motion to suspend further proceedings under the call, and said motion shall not be adopted unless a majority of all members-elect vote in favor thereof. Upon a report of the Sergeant-at-Arms, showing that all members who were absent without leave, naming them, are present, the call shall be at an end, and the doors shall be opened, and the Senate shall proceed with the business pending at the time the call was made.

11. ORDER AND DECORUM

The President shall preserve order and decorum and decide all questions of order subject to an appeal to the Senate. When the President is putting the question, no member shall walk out of, or across the Senate, nor when a member is speaking, shall any person entertain any private discourse, or pass between the person speaking and the chair. A member called to order must immediately sit down unless permitted to explain, and the Senate, if appealed to, must decide the case. If there be no appeal, the decision of the chair shall stand. On appeal no member shall speak more than once without leave of the Senate.

12. RECOGNITION BY THE PRESIDENT

Every member, previous to his speaking, shall rise from his seat and respectfully address the President as such, and remain standing in his place before proceeding to speak, until he is recognized by the chair. When two or more members rise at the same time to speak, the President must designate the member who is to speak, but in all cases the member who shall rise first and address the chair shall be first recognized.

13. RULES OF DEBATE

No member shall speak more than twice on the same subject without leave of the Senate, nor more than

once until every member choosing to speak on the subject pending shall have spoken, nor shall any member occupy more than ten minutes at the first time, nor more than five minutes at the second time, without unanimous consent of the Senate; provided this rule shall not apply to the majority and minority floor leaders and the chairman in charge of a bill.

14. MOTION TO BE SECONDED AND STATED

No motion shall be debated or put unless the same be seconded. It must then be stated by the President before the debate.

15. MOTIONS IN WRITING

All motions except to adjourn, postpone, or commit shall be reduced to writing and read at length if required by any member of the Senate.

16. MOTION MAY BE WITHDRAWN

After the motion shall be stated by the President, it shall be deemed to be in possession of the Senate, but may be withdrawn at any time before amendment or decision, but all motions, resolutions or amendments must be entered on the Journal, whether rejected or adopted, together, with the name of the member moving the same.

17. INTERRUPTION

No member shall interrupt another member who is speaking in debate, except on question of privilege.

18. ORDER OF MOTIONS

When a question is under debate no motion shall be received except to fix the time to which to adjourn; to adjourn; to lay on the table; to move the previous question; (which four motions shall be decided without debate) to move to postpone to a day certain; to commit or amend; to postpone indefinitely which several motions shall have precedence in the order in which they are named. No motion to postpone to a day certain or to commit, having been decided, shall be entertained again on the same day and at the same stage of the bill or proposition.

19. ORDER IN WHICH QUESTION PUT

All questions, whether in committee or in the Senate, shall be put in the order in which they are moved, except in the case of privileged questions. In filling blanks the largest sum and the longest time shall be put first.

20. STATING OF QUESTION AND DIVISION

Questions shall be put in substantially the following form: "As many as are in favor of (as the case may be), say aye"; and after the affirmative voice is expressed, "As many as are opposed, say no." If the President is in doubt or a division be called for, the Senate shall divide; those in the affirmative of the question shall rise from their seats, and afterwards those in the negative.

21. NON-DEBATABLE MOTIONS

The following motions are not debatable:

Adjournment.

Order of the day.

Objections to considering questions.

Reading of papers.
 Withdrawal of motion.
 Suspension of the rules.
 To lay on the table.
 Previous question.

22. **DIVISION OF QUESTION**

If a question before the Senate contains more than one proposition, any member may have the same divided.

23. **AYE AND NAY VOTE**

The ayes and nays shall not be ordered unless demanded by one-sixth of the members present except on the final passage of bills, joint resolutions and concurrent resolutions to amend the constitution, in which case ayes and nays shall be had without demand. No member or any other person shall remain by the secretary's desk when the ayes and nays are being called

24. **VOTE BY MEMBERS**

Every member who is present, before the vote is declared from the chair, must vote for or against the question before the Senate, unless the Senate excuse him: provided, however, that any member who has a personal or private interest in any measure or bill shall disclose the fact to the Senate and shall not vote thereon without the consent of the Senate.

25. **PROCEDURE IN EXCUSING MEMBER VOTING**

When a member declines to vote on a call of his name, he shall be required to assign his reasons therefor; and having assigned them, the presiding officer shall submit the question to the Senate, "Shall the member, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the vote has been taken and before the chair has announced the vote, and any further proceedings in reference thereto shall be after such announcement.

26. **VOTE BY PRESIDENT**

The President shall vote only in case of a tie.

27. **SUSPENSION OF RULES**

No standing rule or order of the Senate shall be reconsidered or suspended except by a vote of two-thirds of the members-elect, and no motion to suspend the rules and pass a bill shall be entertained except by unanimous consent, unless the bill has first been printed and considered by a committee, nor shall any standing rule or order requiring unanimous consent be reconsidered or suspended without unanimous consent.

BILLS, MEMORIALS AND RESOLUTIONS

28. **WHO MAY INTRODUCE**

Any bill, memorial or resolution which conforms to statutory requirements and the rules herein set forth, within the time prescribed, may be introduced by any member, standing committee or the Legislative Research Committee by filing the same with the Secretary of the Senate, who shall number or letter consecutively each bill or resolution.

29. **WHEN INTRODUCED**

No bill, memorial or resolution requiring the signature of the Governor shall be introduced after the

twenty-fifth day, except upon the approval of a majority of the Committee on Delayed Bills or upon two-thirds vote of the Senate.

30. DELAYED BILLS

The committee on the introduction of delayed bills shall receive from the Secretary all bills offered for introduction after the time for introduction as heretofore limited, and shall, on the same or the next day after receiving such bills, report to the Senate its conclusion whether the introduction thereof should be allowed and if a majority of such committee is in favor of the introduction thereof the bills shall be thereupon deemed duly introduced.

31. FORM OF BILLS, NUMBER OF COPIES

Every bill, memorial or resolution, requiring the approval of the Governor, or a change in the Constitution of the State of North Dakota, shall be in typewritten form and eight copies thereof shall be filed with the Secretary of the Senate. Each such bill, memorial or resolution shall have endorsed thereon its title and the name of the member, or committee introducing the same. The enacting clause shall be as follows: "Be it enacted by the Legislative Assembly of the State of North Dakota." No bill shall embrace more than one subject, which shall be expressed in its title. If the bill amends a present statute, the portion thereof constituting the amendment or amendments shall be underscored. Any matter contained in the present statute but deleted in the proposed amended statute shall be contained in the typewritten bill but shall be set off from the remainder of the text by two or more parenthesis at the beginning and end of such deleted matter. The lines of the typewritten copies shall be numbered and such lines shall not exceed sixty-five spaces in length. One of such copies shall be delivered to the Chairman of the Committee to which the measure is referred, one copy to the Chairman of the Enrolled and Engrossed Bills Committee, one shall remain in the custody of the Secretary until otherwise directed by the Senate, one shall be delivered to the printer having the contract for the printing of bills, one shall be delivered to the printer having the contract for printing the Senate Journal for use in setting of bill title and three copies shall be available for newspaper representatives.

32. APPROVAL OF BILLS AS TO FORM

The Secretary shall ascertain whether the bill or joint resolution conforms to the requirements of law and these rules, as to form, and place his approval as to form thereon before it can be first read. For this purpose the Secretary may avail himself of such services as may be provided by the Legislative Research Committee or by the Senate.

33. READING OF BILLS

Every bill, resolution or memorial requiring the approval of the Governor, or a change in the Constitution of the State of North Dakota, shall be read two separate times, but the first reading and second reading may not be upon the same day; and the first

reading may be by title of the bill only; unless upon such first reading a reading at length is demanded. The second reading shall be at length.

34. CONSIDERATION OF OTHER RESOLUTIONS

Every resolution other than those referred to in the preceding rule shall be read once and referred by the President to an appropriate standing committee or upon motion to a select committee, unless otherwise ordered by vote of the Senate.

35. PRINTING OF BILLS

All bills, resolutions or memorials requiring the approval of the Governor or a change in the Constitution of the State of North Dakota, after the first reading, shall be printed unless otherwise ordered by the Senate.

36. BILLS REFERRED

Upon the first reading of a bill or joint resolution, the President shall refer it to its appropriate committee, unless the Senate upon motion decides to refer the same to a select or other standing committee, or to the committee of the whole Senate; if to the committee of the whole Senate, then it shall come up for consideration as a special order of business of the next day, unless otherwise ordered by the Senate.

37. REFERENCE TO PRINTING TITLE OF BILLS

After first reading, all reference in the journal to Senate and House bills shall be by number only.

38. BILLS TO COMMITTEE ON APPROPRIATIONS

All bills or resolutions carrying an appropriation of \$200 or more shall be referred or re-referred to and acted upon by the Committee on Appropriations before final action by the Senate thereon, unless otherwise ordered by a majority vote of the members present.

39. STANDING COMMITTEES

The Senate shall elect a Committee on Committees to consist of seven members of which the President of the Senate shall be the Chairman, which committee shall appoint the following standing committees, classified in accordance with the usual amount of work and concerned with matters in the fields as indicated:

1. **Agriculture**, fifteen members.
Agriculture; Livestock; Drainage and Irrigation; Warehouse and Grain Grading.
2. **Appropriations**, seventeen members.
All bills calling for appropriations in excess of two hundred dollars.
3. **Education**, fifteen members.
Public Schools, Libraries and Institutions of Higher Learning.
4. **Finance and Taxation**, fifteen members.
Public Debt; Taxes and Tax Laws.
5. **Judiciary**, fifteen members.
Elections and Election Privileges; Judiciary.
6. **State and Federal Government**, fifteen members.
State and Federal Affairs; Board of Administration and Industrial Commission and insti-

tutions under their supervision; State Historical Society and State Parks; Immigration and Statistics.

7. **General Affairs**

Ways and Means; Public Printing; Trades and Professions; Sports and Amusements; Matters not otherwise specified.

8. **Industry and Business**

Banks and Banking; Corporations; Insurance; Matters pertaining to private business and industry.

9. **Labor Relations**

Workmens Compensation; Unemployment Compensation; Labor laws and kindred subjects.

10. **Natural Resources**

Game and Fish; Public Lands; Mines and Mining; Gas and Oil; Forestry.

11. **Political Subdivisions**

Cities and Villages; Counties; Townships; Park Districts; Apportionment.

12. **Social Welfare**

Public Welfare; Public Health; Public Safety; Temperance.

13. **Transportation**

Highways and Bridges; Railroads; Motor Vehicles; Airlines and Airports.

14. **Veterans and Military Affairs**

Committees numbered from 7 to 14 inclusive, are to consist of thirteen members each.

(PROCEDURAL COMMITTEES)

15. **Delayed Bills**, to consist of five members.

16. **Employment**, to consist of five members.

17. **Enrolled and Engrossed Bills**, to consist of five members.

18. **Mileage and Per Diem**, to consist of three members.

19. **Revision and Correction of Journal**, to consist of three members.

20. **Rules**, to consist of nine members.

In all cases a majority of the committee shall consist of a quorum.

40. **LIMITATIONS ON COMMITTEE MEMBERSHIP**

No member shall serve on more than two committees numbered from 1 to 6 inclusive. No member shall be appointed to serve on more than five standing committees other than Procedural.

41. **MEETINGS OF COMMITTEES**

Four week days shall be reserved for meetings of committees numbered from 1 to 6 inclusive, and two week days for committees numbered from 7 to 14 inclusive. All other committees shall meet as necessity may require.

42. **MEETINGS OF CHAIRMEN**

There shall be a meeting of committee chairmen and the President each week on Friday morning at nine o'clock, or at such other time as the majority of chairmen may agree. They shall select their own chairman.

At such meeting they shall arrange the schedule of committee hearings to the end of the following week, and so far as possible the bills to be considered at such hearings.

43. NOTICE OF HEARINGS

On or before two P.M. on Friday of each week each chairman shall deliver to the Secretary four copies of a notice of the time and place of the meetings of his committee for the following week, including a list of the bills, memorials and resolutions to be considered. This rule, however, shall not prevent a change in such schedule as to time, place or bill, if circumstances may so require. The decision of the chairman in this regard shall be final. The Secretary shall read said notices to the Senate and post the same on the bulletin board. Three copies shall be given to the press.

44. DISPOSITION OF MEASURES

Every bill, or resolution, referred to a committee, except appropriation bills must be returned to the Senate with the committee report thereon, not later than the tenth day after it is referred, unless, upon application of the committee, an extension of time is granted within which to consider it. Provided that this rule does not apply until after the first twenty-five days of the Session. In case the same is not reported on the tenth day after it is referred, and such time is not extended, it shall automatically go on the calendar of bills without recommendation. The same rule shall apply to Senate bills not reported back by the forty-third day and House bills not reported back by the fifty-eighth day.

45. RECALLING BILL FROM COMMITTEE

The chairman of any committee to whom a bill or resolution has been referred, if so ordered, by a vote of the majority of the Senate present, shall report such bill or resolution back to the Senate forthwith.

46. REPORT OF COMMITTEES

The report of a committee shall be for passage, for indefinite postponement, for amendment or without recommendation. If for amendment the proposed amendments shall be fully set forth in the report. If such report is adopted, the bill shall thereupon go on the calendar for the next legislative day for action of the Senate as to amendments under the Sixth Order of Business. No action shall be taken upon amendments until a full mimeographed or printed copy of the report is in the hands of the members. Upon receiving the report, the Secretary shall cause copies thereof to be made and placed on the desk of each member. Provided, however, that upon a two-thirds vote, this may be suspended, and the amendment acted on immediately after the report of the committee.

If a report or motion recommending a bill for passage without amendment is adopted, the bill shall go on the calendar for the next legislative day for second reading and final passage.

If a report or motion for indefinite postponement is adopted, it shall have the effect of entirely removing the bill or resolution from before the Senate for that session (unless revived by motion to reconsider.) The

passage of a motion for the adoption of a report recommending amendments has the effect of adopting the report but not the amendments.

47. DIVIDED COMMITTEE REPORT

In case all the members of any committee, required or entitled to report on any subject referred to them, cannot agree upon any report, the majority and minority may each make a special report, and any member dissenting in whole or in part, from the reasoning and conclusions of both the majority and minority may also present to the Senate a statement of his reasonings and conclusions; and all reports, if decorous in language, and respectful to the Senate, shall be entered at length in the Journal.

48. REPORT DIVIDED

Whenever the report of any committee contains several modifications or amendments, any member may have the same divided, and the question of their adoption taken separately upon each modification or amendment.

49. AMENDING BILLS

No bill shall be revised or amended, nor the provisions thereof extended or incorporated in any other bill by reference to its title only, but so much thereof as is revised, amended or extended or so incorporated, shall be re-enacted and published at length. No bill shall be so altered and amended as to change its original purpose.

50. AMEND OR RECOMMIT ON SECOND READING

On the second reading of every bill or resolution any amendment may be received and it may be recommitted at any time previous to its final passage.

51. AMENDMENTS TO TITLE

The title to any bill may be amended at any time during its pendency in the Senate.

52. ENGROSSMENT

All Senate bills amended in committee or in the committee of the whole shall be properly engrossed before their second reading and final passage. The committee on engrossment shall examine all bills after they are engrossed and report the same to the Senate correctly engrossed, which report must be approved before their second reading; said committee may report at any time.

53. SECOND READING

No bill, resolution or memorial requiring the approval of the Governor or a change in the Constitution of the State of North Dakota shall be committed or amended until it shall have been read; nor shall any such bill, resolution or memorial have its second reading and be put upon its final passage until at least one day after the same has been reported to the Senate by the Committee to which the same has been referred, provided that any such bill, resolution or memorial may have its second reading and be put upon its final passage on the day the same is reported back, when so ordered by two-thirds of the members of the Senate present.

54. FINAL PASSAGE

No bill shall become a law except by a vote of the

majority of the members-elect of each house, nor unless on its final passage the vote be taken by ayes and nays and the names of those voting be entered on the Journal; provided, however, that no measure enacted or approved by a vote of the electors shall be repealed or amended by the legislature, except by a two-thirds vote upon roll call of all members elected to each House.

55. RIGHT TO CHANGE VOTE

A member shall have the right to change his vote before the President has announced that the vote is closed but not thereafter.

56. ANNOUNCEMENT OF VOTE

The Secretary shall tabulate the vote which shall be announced by the President, who shall also declare whether the bill has passed, whether the title is agreed to and whether the emergency clause, if any, has carried.

57. VERIFICATION OF VOTE

When the vote has been announced any member may immediately require that the vote be verified.

58. EXPLANATION OF VOTE

Immediately following the announcement of the vote by the President, but not before, any member may explain his vote and have his remarks recorded in the Journal.

59. RECORDING REMARKS IN JOURNAL

When a member desires to have his remarks, other than those in explanation of his vote, recorded in the Journal, he shall inform the Desk Reporter before speaking and his remarks shall be recorded.

60. NOTICE OF INTENTION TO RECONSIDER

Except on the forty-fifth and sixtieth days of the session, when notice of intention to move the reconsideration of any bill or joint resolution shall be given by a member, the Secretary of the Senate shall retain the said bill or joint resolution until the end of the next legislative day, excluding Sundays, unless the same has previously been disposed of. When a member, in explaining his vote, states to the Senate that his vote is for the purpose of reconsideration, such statement shall be deemed to be notice of such intention.

61. WHO MAY MOVE RECONSIDERATION

Any member who votes on the prevailing side of a question, or who did not vote on the question, may move a reconsideration of the same, which motion shall be decided by a majority vote. In case of a bill, joint resolution or amendment to the Constitution, such motion if made after the end of the next legislative day, shall require a two-thirds vote. No such action may be taken unless the measure is in possession of the Senate.

62. CLINCHER MOTION

A motion that any action taken by the Senate be reconsidered and that the motion to reconsider be laid upon the table, if carried, shall have the effect of preventing reconsideration except upon a two-thirds vote.

63. REFUSAL OF HOUSE TO RETURN BILL

Upon a majority vote of the Senate the President shall refuse to sign any bill which may have passed the Senate and which the House shall have refused to re-

turn for further consideration on being properly requested so to do.

64. ENROLLMENT

The committee on enrollment shall examine all Senate bills and memorials which have passed the two Houses, and when reported correctly enrolled; with matter within brackets as provided by Chapter 266, Session Laws of 1945, deleted, and such report is adopted they shall be presented to the presiding officers of the House and Senate for signatures, and when so signed, presented to the Governor for his approval; said committee may report at any time.

65. SIGNING OF BILLS

The President shall, in the presence of the Senate, sign all bills and joint resolutions passed by both Houses. Immediately before such signing their title shall be publicly read, and the fact of signing shall be at once entered in the Journal.

66. MOTION TO ADJOURN

A motion to adjourn shall always be in order, except when a member is addressing the chair or a vote is being taken.

67. MEMBERS RETAIN SEATS

When the Senate adjourns the members shall keep their seats until the President announces the adjournment.

68. PROCEDURE ON HOUSE BILLS

A similar mode of procedure shall be observed with bills which have originated in and passed the House as with bills which have originated in the Senate except that they shall not be printed nor engrossed nor enrolled.

69. COMMITTEE CHAIRMEN

On all committees the first named member shall be the chairman, and, in his absence, or being excused by the Senate, the next member named, and so on as often as the case shall happen, shall act as chairman.

70. REPORT OF SELECT COMMITTEES

Select Committees to whom reference has been made, in all cases, shall report a state of facts and their opinion to the Senate.

71. COURTESY OF THE FLOOR

No person shall be admitted to the floor of the Senate except State Officers; Judges of the Supreme and District Courts; present and former members of Congress; present and former members of the Legislative Assembly; members of the Constitutional Convention; reporters for newspapers, and any other person granted admission by the Senate. The floor of the Senate is hereby defined as all of the first floor of the Senate Chamber including the corridor along the outer wall thereof.

72. PRESIDENT PRO TEM

In the absence of the President of the Senate, or his refusal to act, the President pro tempore shall exercise all rights and prerogatives of the President for the time being.

73. EXECUTIVE NOMINATIONS

All nominations from the executive shall be opened and read immediately in executive session and be referred to their appropriate committees, unless otherwise ordered, and the final question on every nomination shall be: "Will the Senate advise and consent to the nomination?" which question shall not be put on the same day on which the nomination is received, nor on the day on which it may be reported by a committee, unless by unanimous consent.

74. EXECUTIVE SESSION

Before acting on executive business the Senate Chamber shall be cleared, by the direction of the President, of all persons except members, the Secretary of the Senate and Sergeant-at-Arms to be sworn.

75. OBJECTION TO READING OF PAPERS

When the reading of a paper is called for and the same is objected to by any member, it shall be determined by the Senate without debate.

76. LEGISLATIVE DAY

No Legislative day shall be shorter than the natural day.

77. RULES

Roberts Rules of Order shall govern the Senate in all cases to which they are applicable, and to which they are not inconsistent with the standing rules and order of the Senate and the joint rules of the Senate and House of Representatives.

78. ELECTRICAL VOTING SYSTEM

Unless otherwise ordered, any vote except upon elections may be taken by means of the Electrical Voting System, which shall be under the control of the President of the Senate.

Senator Bridston moved that the report of the Committee on Public Printing as printed in the Journal be adopted.

ROLL CALL

The roll was called and there were: ayes, 38; nays, 0; absent and not voting, 11.

Albers	Freed	Sandness
Bjorlie	Krenz	Schrock
Blunt	Lichty	Schoeder
Brant	Leno	Shure
Braun	Morgan	Solberg
Bridston	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Streibel
Coghlan	Nordhogen	Torno
Day	O'Brien	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Page	Wolf
Fraser	Reinke	Work

Absent and not voting:

Bilden	Mehlhoff	Strand
Duffy	Nelson, McKenzie	Stucke
Kamrath	Pyle	Welander
Lynch	Rue	

And so the report was declared adopted.

FIRST READING OF SENATE BILLS

The Judiciary Committee introduced:

Senate Bill No. 90. A Bill for an Act to amend and reenact section 30-1607 of the North Dakota Revised Code of 1943, relating to hearings concerning homestead and other exempt property in probate proceedings.

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

The Judiciary Committee introduced:

Senate Bill No. 91. A Bill for an Act to amend and reenact section 12-3807 of the North Dakota Revised Code of 1943, relating to the use of false tokens.

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

The Judiciary Committee introduced:

Senate Bill No. 92. A Bill for an Act to amend and reenact section 28-0126 of the North Dakota Revised Code of 1943, relating to limitation on actions in case of death.

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

The Judiciary Committee introduced:

Senate Bill No. 93. A Bill for an Act to amend and reenact sections 30-0219 and 30-1704 of the North Dakota Revised Code of 1943, relating to issuance and service of citation in probate proceedings.

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

Senator Duffy introduced:

Senate Bill No. 94. A Bill for an Act to amend and reenact section 30-2105 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to distribution in probate of estates.

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

Senator Streibel introduced:

Senate Bill No. 95. A Bill for an Act to amend and reenact section 16-1001 of the North Dakota Revised Code of 1943, relating to boards of elections and prescribing qualifications.

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

Senator Streibel introduced:

Senate Bill No. 96. A Bill for an Act to amend and reenact section 16-1709 of the North Dakota Revised Code of 1943, relating to county committee of political parties.

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

The Committee on Appropriations introduced:

Senate Bill No. 97. A Bill for an Act transferring four hundred three dollars and ninety-four cents from the Scale Inspection Fund to the General Fund.

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

Senators Rue and Streibel introduced.

Senate Bill No. 98. A Bill for an Act to amend and reenact subdivision B of section 52-0920 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to term "employment" and exceptions thereto, as said term is used in Title 52, Chapter 9, and declaring an emergency.

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

Senator Morgan introduced:
Senate Resolution No. 1.

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

MESSAGE TO THE HOUSE

Bismarck, January 14, 1949

Mr. Speaker: I have the honor to transmit herewith the following Senate Concurrent Resolution C which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,
W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

Bismarck, January 14, 1949.

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. 7.

House Bill No. 43.

Very respectfully,
GEORGE OLSON, Chief Clerk.

Senator Rue moved the adoption of Senate Concurrent Resolution "D."

The question being on the final passage of Senate Concurrent Resolution "D" the roll was called and there were: ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Bume	Lichty	Schrock
Brant	Morgan	Schoeder
Braun	Nelson, Griggs-	Shure
Bridston	Steele	Spiekermeier
Brunsdale	Nordhougen	Streibel
Coghlan	O'Brien	Torno
Day	Olson, Barnes	Troxel
Feton	Olson, Mountrail	Tuff
Foss	Page	Wolf
Fraser	Reinke	Work
Freed		

Absent and not voting:

Bilden	Mehlhoff	Strand
Duffy	Nelson, McKenzie	Stucke
Flatt	Pyle	Wahlund
Kamrath	Solberg	Welander
Lynch		

So the Resolution passed and the title was agreed to.

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

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

W. J. TROUT, Secretary.

TWELFTH DAY

Bismarck, January 15, 1949

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

Prayer by the Chaplain, Rev. Jos. Bachman of Bismarck.

Roll Call: All Senators present except Senators Albers, Bilden, Blume, Duffy, Fetton, Foss, Freed, Kamrath, Lynch, Mehlhaff, Morgan, Nelson of McKenzie, Pyle, Sandness, Schrock, Schoeder, Strand, Stucke, Troxel, and Welander.

A Quorum was declared present by the President.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eleventh day and recommends that the same be corrected as follows.

Page 55, line 46 correct the spelling of the word recommend and on line 50 correct the spelling of the name "Norman."

Page 56, line 33 correct the spelling of the word "committees, and on line 49 correct the spelling of the word "journals."

Page 57, line 13 correct the spelling of the word "galleries," on line 18, correct the spelling of the word issued, and on line 52 correct the spelling of the word possession.

Page 58, line 17 correct spelling of the word "arms."

Page 59, line 31 correct spelling of word "question;" on line 49 strike out the word "It" and insert in lieu thereof the word "If;" in line 52 correct the spelling of the word "question;" in line 54 correct the spelling of the word "Non-debatable;" line 55 the spelling of the word "debatable."

Page 60, line 2 correct the spelling of the word "with-drawal;" in line 11 the spelling of the word "order."

Page 61, line 1 correct the spelling of the word "majority;" line 38 the spelling of the word "engrossed;" line 45 correct the spelling of the word "representatives."

Page 62, line 6 correct the spelling of the word "preceding;" line 10, the word "Printing;" in line 41, the word "concerned."

Page 64, line 39 correct the spelling of the word "indefinite;" line 51, the word "amendment;" line 55 the word "calendar;" line 57 the word "postponement."

Page 65, line 9 strike out the word "of" and insert in lieu thereof the word "or;" line 25 strike out the word "be" and insert in lieu thereof the word "by;" line 28 correct the spelling of the word "Reading;" line 37 strike out the word "or" and insert in lieu thereof the word "of."

Page 66, line 16 correct the spelling of the words "whether

and "emergency;" line 28, correct the spelling of the word "reporter;" line 34, strike out the word "or" and insert in lieu thereof the word "of."

Page 67, line 13, strike out the figures "63" and insert in lieu thereof the figures "65."

Page 70, in the third line from the bottom of the page correct the spelling of the word moved.

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

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

Senator Reinke presented the following petition:

Fairmount, N. Dak.
January 12, 1949

Senator Joseph Reinke,

Bismarck, No. Dak.

Sir:

We the undersigned members of the Summit Homemakers club, the Tyler community, ask your support of the Agricultural college appropriations, in helping to maintain agriculture in our state.

We feel its support will help our future generations to carry on, to the best of their ability the problems that may arise and such a worthy school needs our support.

Mrs. Julian Poppe, Mrs. Charles Reubist, Mrs. Earl Miller, Mrs. Clayton Hasty, Mrs. H. Koppelman, Mrs. Alvin Les-hovsky, Mrs. Joe Matycik, Mrs. W. J. Frank, Mrs. Harry Miller, Mrs. Dick Holthusen, Mrs. Herman Moeller.
and moved that the same be printed in the Journal, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

Senate Bill No. 99. A Bill for Act to amend and reenact section 54-1601 of the North Dakota Revised Code of 1943, relating to Emergency Commission: members; organization; meetings; duties.

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

Senator Streibel: Those of us who probably had a sour taste in our mouths when we arrived at the Capitol because of the blizzard conditions, may find comfort in the fact that the weatherman has in the past not always been this disagreeable. In fact in 1923 on January the 15th, 26 years ago, I understand the weatherman was very agreeable. The weather was so mild that a certain young man in Benson County thought spring had arrived, so he decided he would bring his lengthy romance to fruition. So he told his sweetheart, let's make this the day and get married. When time is not pressing and I sit here meditating, I often wonder just how much married life has contributed to the reputation of the men that are here present. I believe in Senator Nordhousen's case the beneficent influence of his charming wife, perhaps more than anything else, accounts for his ever smil-

ing face. I thought perhaps it would be nice if we took a few moments to congratulate the Senator upon this happy union.

Senator Nordhougen: I am very grateful for my colleagues and to my friend Senator Streibel. This is one of the events that happens in every man's life. When a youngster grows up there are three important days in his life—his birthday—the 4th of July and Christmas. There are two other events that comes in a man's life that are important and that is his marriage and burial. Discussing Streibel's remarks I might say that I called my good wife yesterday and mentioned to her if the weather conditions permitted I would no doubt come home this week end. She, being a conscientious woman and serious in her way of doing things, and naturally wanting to keep me in a sober mood, she said she was very happy to have me come home but since the Senators were having discussions on important issues and debates, she thought I better remain in Bismarck and help save the state. I know my good wife joins me in thanking you one and all.

Senator Brunsdale moved that the remarks made this afternoon be not printed in the journal with the exceptions of the remarks made by Senators Streibel and Nordhougen, which motion prevailed.

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

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

W. J. TROUT, Secretary.

FOURTEENTH DAY

Bismarck, January 17, 1949

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

Prayer by the Chaplain, Rev. Paul G. Hayes, of Bismarck.
Roll Call: All Senators present except Senators Bilden, Bridston, Duffy, Lynch, and Wolf.

A quorum was declared present by the President.

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

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

Page 71, line 8, correct the spelling of the name Sandness; line 7, correct the spelling of the name Blume.

Page 72, line 11, correct the spelling of the word adopted; line 12, correct spelling of the word motion; line 21, correct the spelling of the word appropriations; line 33, capitalize the word Appropriations.

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 17, 1949

Mr. Speaker. I have the honor to transmit:

Senate Concurrent Resolution "D" which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 17, 1949

Mr. President: I have the honor to transmit:

House Bill No. 28.

House Bill No. 29.

House Bill No. 39.

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

GEORGE OLSON, Chief Clerk.

MONDAY, JANUARY 17, 1949

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MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 17, 1949

Mr. President: I have the honor to return:
Senate Concurrent Resolution No. "C."
Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

REPORT OF STANDING COMMITTEE

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

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 5 have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 9 have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 15 have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

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

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 47 have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution A have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

JOURNAL OF THE SENATE
REPORTS OF SELECT COMMITTEE

Senator Brunsdale moved that the rule printed on page 68 of the Journal, rule 78, be adopted as an amendment to the rules of the Rules Committee.

Roll Call: ayes, 42; nays, 1; absent and not voting, 6.
Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schoeder
Brant	Morgan	Schrock
Braun	Nelson, Griggs-	Shure
Brunsdale	Steele	Solberg
Coghlan	Nelson, McKenzie	Spiekermeier
Day	Nordhougen	Strand
Feton	O'Brien	Stucke
Flatt	Olson, Barnes	Torno
Foss	Olson, Mountrail	Troxel
Fraser	Page	Tuff
Freed	Pyle	Wahlund
Kamrath	Reinke	Welander
		Work

Those voting in the negative were:
Streibel

Absent and not voting:

Bilden	Lynch	Wolf
Bridston	Mehlhoff	
Duffy		

Senator Day moved that the Committee Report be amended as follows:

Between the rules in the report designated as rules 53 and 54 in the report insert the following rule:

"54. All remarks on final passage of any measure shall be recorded in the journal."
and that the following rules in the report be numbered.

Senator Day: As I say the Rules Committee did not decide on this matter one way or the other. The Rules Committee had under consideration the recommendation of the Legislative Research Committee, which during the interim did consider this matter. and the Legislative Research Committee did recommend that a rule be adopted in each House that would permit complete reporting of everything that took place on the floor of either House in the Journal. This rule that is proposed by this amendment does not go that far. Prompted by a suggestion in the rules committee, this is a rule that would report automatically only remarks made on the floor on the final passage of any measure. So that when the question before the house is on the final passage of any measure, any explanations of that measure, any question put by any Senator and any answer given by any Senator would be incorporated in the Journal as a part of the permanent record of this Senate.

I believe that such a rule would be beneficial for several reasons. In the first place, when our Courts, when interpreting legislative intent of any law. it would be useful

for the Courts to be able to refer to a Senate Journal that shows a complete report of the discussions in connection with the passage of that measure.

In Congress, we all know, there is a complete report of every word that is spoken on the floor of either House in Congress and when the Supreme Court of the United States has before it a question on the interpretation of any Federal Law, one of the first things referred to by Counsel, or by the Court is the Journal of the proceedings had in Congress, in the Senate and in the House, with respect to the passage of that measure. There is no reason why our Courts and our people should not have the benefit of that interpretation.

We all know, that on some bills in explanation of the measure, certain statements are sometimes made by the various Senators. Quite often those statements made just before we vote are statements that substantially induce one or more Senators to vote one way or the other on that measure. We have in the past made no record of those statements and I am sure we all remember times when a discussion arose later in regard to just what those statements were that induced Senators to vote for or against the measure. It would, perhaps, on occasions, lead some Senators to be a little more complete or a little more careful that their statements were accurate when they know that they are going to be printed in the permanent record.

I am not indicating that any Senator has ever misled any other Senators or the Senate in any such matter. I am aware, as you are, that every Senator has been careful in the past to get up on the floor of this Senate and very accurately report the position as he understood it. But some mistakes have been made and there have been substantial discussions on occasion.

I believe this rule would be a good one. Mr. President, because it would permit the people to definitely fix responsibility for action that is taken, or failure to act, and I will say, that, in my opinion, there are Senators in this Body who might not be here now had this rule been in effect the last ten years. The Legislature is not for Legislators. It is for the people. The Journal is not for legislators or for our convenience. It is a record that our people should be able to refer to and it should make sense. I submit that the Journal we are taking the liberty of broadcasting over the State, is not complete, is not intelligible, even to you men who have had experience in the Legislature. It is practically nothing but a list of roll calls. We now have the privilege of sending ten copies to selected interested people. I submit at this time that many of the Senators who have been here several years, have instructed the desk not to bother to send any out, and I was one of them. I have yet to hear any of my constituents say that they were glad I sent them the Journal and that they enjoyed it.

I have had many people, on the contrary, say "how can we find out what goes on down there without attending every session ourselves?"

We read the Journal of what takes place over in the House but we have to have that Journal interpreted for us by

some one that has taken in the session before it means anything to us.

I say that the people of this State are entitled to first-hand direct information of all that goes on before this Senate without having to refer to political propaganda organizations. We know that the daily newspapers of the State print what goes on here. That is proper and they will continue to do that but if there is any interest on anyone's part in getting direct and accurate information on all that is said and done on the floor of the Senate, there should be some place to refer to, to get that information.

I believe that the time will come when we will pass a rule that will require complete recording of everything that takes place on the floor of this Senate, and when that time comes, I believe that the Journal of this body will be a very popular piece of literature. My contention is that what is printed in the journal should be continuous and intelligible, not only to us, but the people of the State who are entitled to know what we are doing and when we do it.

I have discussed this matter with several Senators who have suggested that the cost of printing the Journal would be large. I believe that any cost is a good investment if it tends to interest our people or inform the people of our State just a little bit more of what goes on down here. I believe that the people of every district would be interested in what we are doing if they had any way of knowing what is going on. The cost of printing the debate or the explanatory remarks in regard to any measure before the Senate would not be out of reason and if we decided to or wanted to facilitate the matter by purchasing a recording machine such as the one we had the other day, we could easily transcribe any proceedings we decide to print. May I add that the Chief Engineer on the radio station, who was kind enough to bring the machine down here and to hastily install the same, said that before getting a machine for the Senate, he would recommend that we purchase a newer and more complete model of that machine which would permit a continuous recording with duplicate rolls so that a stenographer could come down and take one roll and type it off, and the record could be made on the other while she types one off. Further, he indicated that in selecting a type of mike, he recommended that we have three microphones of a directional type and that one be placed on each end of the lower desk and one in the middle and each would take just a section of the Senate, and the one in the middle take the middle section, and it would cut out a great deal of the noise, and the machine could be operated by anyone sitting at the end of the desk. It does not require an expert operator. A stenographer can operate it or anyone with fifteen minutes of instruction can operate it. The cost of a machine such as we had here is \$235.00. The cost of a more complete machine would run between seven and eight hundred dollars. I am not sure we need that. I want you to bear in mind that I am not urging this amendment as any convenience to us. I am urging it as something the people of the State would

like and are entitled to and I earnestly urge you to support this amendment.

Senator Day: Senator Schrock has just said something that makes it necessary for me to speak further. He said something the other day too and I hope that he will keep that in mind as I speak this time. There are speakers and there are thinkers. I have observed that in this Senate some great gentlemen have taken a part of their time in their room in the hotel to write out something that was really worthwhile and they have been spoken on the floor of this Senate and then went out the window with the blizzard and has never been preserved for us to re-read. There isn't any Senator here who is not capable of contributing a great thought and great idea that is worth preserving for his constituents back home at least a few times during each session, and there are too many Senators here who are too bashful, if I can put it that way, to ask to have their remarks recorded in the Journal. It isn't for the benefit of us who speak that I want this motion to prevail. It is for the benefit of those back home who are entitled to the record of the men who speak and are too bashful to ask that their remarks be recorded in the Journal.

The Senator from Trail, whose name I will not mention, made reference to the fact that the House considered this rule and decided against it. I think on consideration he will realize that a slight error was made. The House did not consider this rule. The House considered the rule recommended by the Legislative Research Committee which was that every word said on the floor be recorded in the Journal. I don't believe they considered any compromise between that and the rule that has always prevailed. Had they considered that, some of the members from the House indicated they might have given it favorable consideration.

The Senator also indicated that I may have already accomplished my purpose. I don't want to be misunderstood. I haven't accomplished my purpose unless this amendment is adopted. True, I have said that I will not throw my hat on the floor if the proposition does not prevail, but I will not have accomplished my purpose unless I have presented my case, which I believe is a case for the people in the best possible light; and unless I have required every Senator here to go on record on the question of whether or not he wants his constituents to know what he is doing here.

I don't want this to develop into a controversial measure. I feel that this was one matter that the Senate ought to consider as a whole.

Considerable has been said about the wire recorder. That was not my idea. I am not sure that is a sound idea but while we are talking about it, it is true that the voices of several of the Senators did not come back clearly on reproduction. Some of the Senators, including Senator Reinke's voice came in very clear. Solberg's voice did not come in unless you were down close to the microphone, but as the Senator from Traill indicated it is not the purpose of the machine to have the recording played back

for everyone in the gallery, but that a stenographer close to the machine should be able to transcribe it. I submit that for some time until the latter part of the session it will not be necessary to use the recorder, and at that time we can see to what extent the journal would have to be enlarged. I hadn't known before that we might have to consider an appropriation bill which would have to go through the house. We have hired employees before without considering the House. Why can't we hire one or two more? We will find many places before we are through to save money, and if this is to be an item for economy, then let us reduce the journal still further. If the law-making body is to be the least expense, let us adopt one measure and adjourn. Let us adopt a Constitutional Amendment that would do away with the legislature and delegate that authority to the Governor. Why do we have to have two houses? That costs more money. Why do we have 113 people in the House and 49 in the Senate. Why don't we have 15 senators instead of 49. Because the people of this State want to take part in the lawmaking function. The more people we have the more districts of the State are represented. The closer it gets to the people. The people are entitled to information and to participate. I submit that this motion should prevail.

The question being on the amendment as offered by Senator Day the roll was called and those voting aye were, 19; nays, 23; absent and not voting 7.

Those voting in the affirmative were:

Albers	Foss	Schoeder
Blunte	Leno	Spiekermeier
Brant	Nordhougen	Strand
Braun	Olson, Mountrail	Streibel
Coghlan	Reinke	Stucke
Day	Sandness	Torno
Flatt		

Those voting in the negative were:

Bjorlie	Mehlhoff	Rue
Brunsdale	Nelson, Griggs-	Schrock
Feton	Steele	Shure
Fraser	Nelson, McKenzie	Sollberg
Freed	O'Brien	Troxel
Kamrath	Olson, Barnes	Tuff
Krenz	Page	Welander
Lichty	Pyle	Work

Absent and not voting:

Bilden	Lynch	Wahlund
Bridston	Morgan	Wolf
Duffy		

Senator Streibel. When approximately twelve years ago, I first assumed my duties as a state Senator I was very fortunate indeed that our political party had able men who were willing to befriend me. These friends gave to me generously of their time, council and good will. Some of these friends have since passed that Great Divide where sorrow, pain and disappointments can no longer harass them. Others though still alive have passed out of my life just as completely as did those who we place into the cold lap of Mother earth. It was this realization that saddened and

disturbed me greatly when two weeks ago Senator Nordhougen and I paid a short visit to one of our colleagues who at that time was a patient of the Bismarck hospital. This patient was Senator Stucke, the Senator from McLean whose magnanimous leadership guided my course of action to a very great extent. The bunting of public applause and adulation which I am trying to drape his shoulders with is perhaps of little if any significance to the Senator. But to me it gives an opportunity to express in public the joy, the pleasure, the delight I experience because of his presence. My gratitude goes out today to kind Providence for his recovery from an illness to which I feared greatly he might succumb.

I know that my statement will meet with the unanimous consent of the Senate when I say we hope your health Senator Stucke, will permit you to be with us daily for the remainder of this Session.

Senator Brunsdale: I move that the rules be suspended and that the report of the committee on rules, as printed in the Journal and as amended be adopted.

Roll Call: ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bjorlie	Lichty	Schrock
Blunte	Mehlhoff	Schoeder
Brant	Morgan	Shure
Braun	Nelson, Griggs-	Solberg
Brunsdale	Steele	Spiekermeier
Coghlan	Nelson, McKenzie	Strand
Day	Nordhougen	Streibel
Feton	O'Brien	Stucke
Flatt	Olson, Barnes	Torno
Foss	Olson, Mountrail	Troxel
Fraser	Page	Tuff
Freed	Pyle	Welander
Kamrath	Reinke	Work
Krenz	Rue	

Absent and not voting:

Bilden	Duffy	Wahlund
Bridston	Lynch	Wolf

Senator Morgan: I move that the Committee on Revision and Correction of the Journal meet with the same Committee of the House and confer with the State Printing Commission relative to the contract for the printing of the journal and report back to these bodies.

This motion prevailed and the Committee on Revision and Correction of the Journal was instructed to meet with a like Committee from the House.

FIRST READING OF SENATE BILLS

Senator Feton introduced.

Senate Bill No. 100. A Bill for an Act to amend and reenact section 40-3808 of the North Dakota Revised Code of 1943, relating to donations made to public libraries.

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

The Committee on Judiciary introduced:

Senate Bill No. 101. A Bill for an Act to amend and reenact section 27-0732 of the North Dakota Revised Code of 1943, relating to miscellaneous records to be kept by county courts.

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

Senators Reinke and Olson of Mountrail introduced:

Senate Bill No. 102. A Bill for an Act to amend and reenact subsection 3 of section 19-0701, 19-0702, 19-0708 and 19-0711 of the North Dakota Revised Code of 1943, relating to the licensing and regulations governing the sale of eggs.

Was read the first time and referred to the Committee on Business and Industry.

The Committee on Judiciary introduced:

Senate Bill No. 103. A Bill for an Act to amend and reenact Sections 27-05031 and 27-05032 of the 1947 Supplement to the North Dakota Revised Code of 1943, providing for the retirement of judges of the supreme court and the district court, providing the manner of making application therefor, and providing for compensation in case of retirement, the method of filling vacancies, and declaring an emergency.

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

The Committee on Judiciary introduced:

Senate Bill No. 104. A Bill for an Act to provide for the retirement of elected state officials, providing the manner of making application therefor, and for compensation in case of retirement, the method of filling vacancies, and declaring an emergency.

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

FIRST READING OF HOUSE BILLS

House Bill No. 7. A Bill for an Act to amend and reenact section 16-0416 of the North Dakota Revised Code of 1943, relating to the primary election ballot.

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

House Bill No. 43. A Bill for an Act to amend and reenact section 4-1013 of the 1947 Supplement to the North Dakota Revised Code of 1943, providing for grade inspection of potatoes; prescribing fees and declaring an emergency.

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

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

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

W. J. TROUT, Secretary.

FIFTEENTH DAY

Bismarck, January 18, 1949

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

Prayer by the Chaplain Rev. Paul G. Hayes of Bismarck.

Roll Call: All Senators present except Senators Bridston and Duffy.

A quorum was declared present by the President.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fourteenth day and recommends that the same be corrected as follows.

Page 75, strike out "Twelfth Day" in line one.

Page 78, line 17, correct spelling of the word "substantially."

Page 79, line 27, correct spelling of the word "knowing."

Page 81, line 55, correct spelling of the word "disappointments."

Page 82, line 21, correct spelling of the word "not;" line 43, correct spelling of the word "Printing."

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

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

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 6 have had the same under consideration and recommend that the same do pass.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 14 have had the same under consideration and recommend that the same do pass.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 37 have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 38 have had the same under consideration and recommend that the same do pass,

and be re-referred to the Committee on Appropriations.

WALTER TROXEL, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 39 have had the same under consideration and recommend that the same be amended as follows:

In line 16—Strike out the word 'nor' at the end of the line, and insert in lieu thereof the following language: providing, however, that it shall be permissible

In line 17—following the word 'cells' insert the words,—in the aggregate of three volts

In line 51—following the word 'cells' insert the words,—in the aggregate of three volts

In line 56—following the word 'cells' insert the words,—in the aggregate of three volts

And when so amended recommend the same do pass.

W. J. BRAUN, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 41 have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 43 have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

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

Mr. President Your Committee on Appropriations to whom was referred Senate Bill No. 59 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 60 have had the same under consideration and recommend that the same be amended as follows:

In line 3, strike out the figure \$63,540.00 and insert the figure \$61,540.00 in lieu thereof.

Strike out all of line 18 and renumber the lines.

In line 20 for Total, strike out the figure \$63,540.00 and insert the figure \$61,540.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 61 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 62 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 63 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 64 have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure \$36,052.75 and insert the figure \$29,052.75 in lieu thereof.

In line 10 strike out the figure \$40,263.18 and insert the figure \$38,513.18 in lieu thereof.

In line 14 strike out the figure \$152,500.00 and insert the figure \$2,500.00 in lieu thereof.

In line 15 after the word "for" strike out the balance of the line, strike out all of line 16 except the last word "a," in line 17 after the word "equipment" strike out the balance of the line, and renumber the lines.

Strike out all of lines 27, 28 and 32 and renumber the lines.

In line 40 for Total Strike out the figure \$313,552.75 and insert the figure \$156,552.75 in lieu thereof.

In line 42 for Balance out of the General Fund strike out the figure \$188,552.75 and insert the figure \$31,552.75 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President. Your Committee on Appropriations to whom was referred Senate Bill No. 65 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 66 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 67 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 68 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

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

RILIE R. MORGAN, Chairman.

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

FIRST READING OF SENATE BILLS

The Committee on Judiciary introduced:

Senate Bill No. 105. A Bill for an Act for the retirement of justices of the supreme court and judges of the district court; providing for an assessment on salaries of such judges; providing for the withdrawal of a portion of the amount so assessed on retirement from office without becoming eligible for retirement salary; prescribing duties that such retired judges shall be eligible to perform and fixing their compensation.

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

Senator Olson of Mountrail introduced:

Senate Bill No. 106. A Bill for an Act to amend and reenact section 57-2006 of the North Dakota Revised Code of 1943, relating to delivery of tax lists to county treasurer.

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

Senator Troxel introduced:

Senate Bill No. 107. A Bill for an Act authorizing townships to prohibit hunting and trapping, except by owners or occupiers of lands in such township and prescribing a penalty.

Was read the first time and referred to the Committee on Natural Resources.

The Committee on Appropriations introduced:

Senate Bill No. 108. A Bill for an Act making an appropriation for the completion of the new building and equipment and a sewage disposal plant for the North Dakota Soldiers' Home at Lisbon, North Dakota; and declaring an emergency.

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

Senators Day and Flatt introduced:

Senate Concurrent Resolution "F." A concurrent resolution providing for the amendment of section 111 of the constitution of the state of North Dakota.

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

Senators Day and Flatt introduced:

Senate Concurrent Resolution "G." A concurrent resolution for the amendment of section 173 of the constitution of the state of North Dakota as amended.

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

The Committee on Photographs introduced:

Senate Resolution No. 2. A resolution to appoint an official photographer for the Senate of the Thirty-first Legislative Assembly of the State of North Dakota.

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

FIRST READING OF HOUSE BILLS

House Bill No. 28. A Bill for an Act to amend and reenact 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 and Federal Government.

House Bill No. 29. A Bill for an Act to amend and reenact section 54-1404 of the North Dakota Revised Code of 1943, relating to claims against state filed with state auditing board and declaring an emergency.

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

House Bill No. 39. A Bill for an Act to amend and reenact section 36-0914 of the North Dakota Revised Code of 1943, relating to the issuance of brand books and declaring an emergency.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 4. A Bill for an Act to amend and reenact section 32-1723 of the North Dakota Revised Code of 1943, relating to judgments in action for waste.

The question being on the final passage of the bill, the roll was called and there were: ayes, 47; nays, 0; absent and not voting, 2.

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blunte	Mehlhoff	Shure
Brant	Morgan	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Barnes	Troxel
Foss	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work

Absent and not voting:

Bridston Duffy

So the bill passed and the title was agreed to.

Senate Bill No. 5. A Bill for an Act to correct a typographical error appearing in subsection 8 of section 11-1006 of the North Dakota Revised Code of 1943.

Was read the second time.

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

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blunte	Mehlhoff	Shure
Brant	Morgan	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Barnes	Troxel
Foss	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work

Absent and not voting:

Bridston Duffy

So the bill passed and the title was agreed to.

Senator Day moved that in the title to Senate Bill No. 5, in the two paragraphs which start with the word "whereas," that in each case the word "whereas" be stricken from the title, which motion prevailed.

Senate Bill No. 9. A Bill for an Act to amend and reenact section 25-0214 of the North Dakota Revised Code of 1943,

relating to the expense for care of patients at the state hospital 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, 45; nays, 2; absent and not voting, 2.

ROLL CALL

Those voting in the affirmative were:

Albers	Lichty	Schoeder
Bjorlie	Lynch	Schrock
Blunde	Mehlhoff	Shure
Brant	Morgan	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nordhougen	Streibel
Day	O'Brien	Stucke
Feton	Olson, Barnes	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Page	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Wolf
Krenz	Sandness	Work
Leno		

Those voting in the negative were:

Bilden Nelson, McKenzie

Absent and not voting:

Bridston Duffy

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

Senate Bill No. 15. A Bill for an Act to amend and reenact sections 40-3801 and 40-3802 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to public libraries and reading rooms.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were: ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Leno	Schoeder
Bilden	Krenz	Schrock
Bjorlie	Kamrath	Shure
Blunde	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Feton	Olson, Barnes	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	O'Brien	Wahlund
Fraser	Reinke	Welander
Freed	Rue	Wolf
Lynch		Work
Lichty		

Those voting in the negative were:

Page Pyle

Absent and not voting:

Bridston Duffy Sandness

So the bill passed and the title was agreed to.

Senate Bill No. 35. A Bill for an Act to amend and reenact section 35-1301 of the North Dakota Revised Code of 1943, relating to repairmen's liens.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were: ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Brant	Morgan	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nelson, McKenz'e	Streibel
Day	Nordhougen	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Barnes	Troxel
Foss	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work
Absent and not voting:		
Bridston	Duffy	

So the bill passed and the title was agreed to.

Senate Bill No. 47. A Bill for an Act to amend and reenact section 20-0217 of the North Dakota Revised Code of 1943, relating to the police powers of the game and fish commissioner, deputy commissioner and bonded appointees of the commissioner.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were. ayes, 25; nays, 22; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Brant	Lichty	Sandness
Braun	Morgan	Schrock
Brunsdale	O'Brien	Schoeder
Coghlan	Olson, Barnes	Shure
Day	Page	Spiekermeier
Feton	Pyle	Strand
Flatt	Reinke	Work
Foss		

Those voting in the negative were:

Albers	Mehlhoff	Stucke
Bjorlie	Nelson, Griggs-	Torno
Blume	Steele	Troxel
Fraser	Nelson, McKenzie	Tuff
Freed	Nordhougen	Wahlund
Kamrath	Olson, Mountrail	Welander
Leno	Solberg	Wolf
Lynch	Streibel	

Absent and not voting:

Bridston **Duffy**

So the bill passed and the title was agreed to.

Senate Concurrent Resolution A. Ratification proposed amendment to the Constitution of the United States relating to the terms of office of the President.

Was read the second time.

The question being on the final passage of the resolution, the roll was called and there were: ayes, 28; nays, 19; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Freed	Pyle
Blume	Krenz	Reinke
Brant	Mehlhoff	Rue
Braun	Morgan	Shure
Brunsdale	Nelson, Griggs-	Spiekermeier
Day	Steele	Strand
Feton	Nelson, McKenzie	Streibel
Flatt	Nordhougen	Torno
Foss	Olson, Barnes	Wolf
Fraser	Page	

Those voting in the negative were:

Bilden	O'Brien	Stucke
Bjorlie	Olson, Mountrail	Troxel
Coghlan	Sandness	Tuff
Kamrath	Schrock	Wahlund
Leno	Schoeder	Welander
Lichty	Solberg	Work
Lynch		

Absent and not voting:

Bridston **Duffy**

So the Resolution passed and the title was agreed to.

Senator O'Brien:

Senate Concurrent Resolution A was introduced by the Legislative Research Committee, which presumably lent the prestige of its endorsement to this controversial resolution. If so, it does the committee no credit, and it will be no credit to the Senate if this resolution is adopted. In fact, it will be a shameful thing because it will be a step towards limiting freedom of choice of our people at the polls, a freedom now guaranteed by an article in our Constitution, which this resolution seeks to change.

This resolution was adopted by the first session of the 80th Congress when Republicans joined by a sufficient number of Roosevelt-hating Southern Democrats passed the resolution and sent it on to the states for ratification. Since it entails a change in the constitution, it must be ratified by three-fourths of the states within seven years

after its adoption by Congress. That is how it comes to be here today.

No one will deny, I believe, that this resolution was motivated by President Roosevelt's success at the polls. Even though the resolution is eventually adopted, it may be a long time before it will apply. The Republicans for many years have been having a hardtime finding anyone that could be elected even once. Great presidents like Franklin D. Roosevelt do not come along very often. It probably will be a long time before the Democrats again find a candidate strong enough to be elected to the presidency three times, not to mention four times.

However, the point I want to make is this: If the people of this state and this nation want a president for more than two terms, they should not be denied that privilege by any legislation, such as this. Let us forget for the moment that we are Republicans or Democrats. Let us be Americans, opposed to any legislation restricting the full freedom of choice by the electorate.

If the Republican party at sometime in the future can rid itself of its reactionary barnacles of the type of Wherry, Grundy, and Taft, I can foresee a possibility of the people electing a good republican president, a president good enough so the people will want to keep him in office for more than two terms. I would be the last to deny them that privilege.

Here in North Dakota, we have not seen fit to limit the terms of our governors. Twice in the past, Governors have served for three successive terms. Our present governor is now serving his third term. These men have been of different political parties. I do not believe the state is any the worse because these men served three instead of two terms. Even if they had wanted to, I do not believe that anyone of them could have built up a political machine that would have perpetuated them in power. It was not political machines that kept these governors in office. It was because they gave the majority of the citizens of this state the kind of government they wanted. That also holds true on a national level.

The voters of the state and nation should be the judge, I believe, of whom should be elected to high office. It is a slur on their intelligence to consider legislation such as this, that in effect says to them: "We are denying you freedom of choice in selecting your president. Your present president has done a wonderful job but he has served two terms, and you can't vote for him again because it would be bad for you. Trust us, we are all wise. We know what's good for you, and we know what's bad for you."

I want no part of riding-herd on my fellowmen in that fashion.

I hope there are enough members of the Senate that believe the voters of this nation are intelligent enough to do their own thinking, and will join me in voting no on this resolution.

Senator Streibel: I do not know whether the yardstick whereby we measure intelligence has changed much since the days of Washington, our first president of the United

States. My own, I know, has changed very little. Had President Roosevelt observed the admonitions of George Washington when he said "Avoid foreign entanglements;" mothers all over the world would not now be shedding tears over their sons that are paralyzed from the neck down.

Washington refused to accept the nomination for a third term because as he put it, "it would be setting a bad precedent."

The reason I consider George Washington one of our greatest, if not the greatest statesman is because of the fact that he was given the opportunity to become king, but refused. When after the Revolutionary War this country was destitute and people were undecided whether they wanted a president or a king, leaders of this nation came to George Washington and said, "you be our king." Washington removed his glasses and wiped his misty eyes and said, "Mine eyes have grown dim in the service of my country, but I have never seen justice fail. Please do not do this rash thing." Aren't we fortunate that Washington was not a Caesar, Charlemagne or a Napoleon. Anyone who tries to convince me that a president or any other official cannot perpetuate himself in office by virtue of his machine simply does not know what he is talking about. I defy anybody after having counted the new bureaus created by Roosevelt to say he had no political machine. The opposition predicates its contention on the proposition that only good men will be elected as president of the United States. If this is true with a good and honest man can you imagine what a tyrant might do? Therefore, I will support this resolution.

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

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

W. J. TROUT, Secretary.

SIXTEENTH DAY

Bismarck, January 19, 1949

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

Prayer by the Chaplain, Rev. Paul G. Hayes of Bismarck

Roll Call: All Senators present except Senators Bridston and Duffy.

A quorum was declared present by the President.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifteenth day and recommends that the same be corrected as follows:

Page 85, after line 39 insert "G. I. Fetton, Chairman."

Page 87, line 35, strike out the figures \$152,000.00 and insert the figure \$152,500.00.

Page 91, line 10, print the name Albers in the same manner as other names.

Page 91, line 39, strike out the numbers "33" and insert the number "3."

Page 91, line 55, strike out the name Sandness and in line 56 strike out the name Schrock.

Page 92, line 15, strike out the name Leno and in line 17 strike out the name Lichty.

Page 93, line 16, strike out the word bill and insert the word resolution in lieu thereof.

Page 93, after line 12 insert the following: "So the bill passed and the title was agreed to."

Page 93, after line 15 insert the following "Was read the second time."

Page 94, line 33, correct the spelling of the word instead.

Page 94, in last line, insert the word "of" between the words "days" and "Washington."

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

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

Senator Streibel moved that the reading of the communication from the North Dakota County Commissioners Association be dispensed with and that the same be printed in the Journal, which motion prevailed.

RESOLUTIONS ADOPTED AT THE 42nd
ANNUAL MEETING
of the
NORTH DAKOTA COUNTY COMMISSIONERS
ASSOCIATION
at
MINOT, JANUARY 11-12-13, 1949

1.

Be It Resolved that this body are in favor of re-enacting House Bill No. 1 to December 31, 1950.

2.

Be It Resolved that this body favor the re-enactment of the Sales Tax.

3.

Be It Resolved that we are in favor of an additional two cent gas tax to be divided equally between State Highway Department and Counties for highway purposes.

4.

Be It Resolved that we continue the 5 o/o discount on Real Property if paid before February 15.

5.

Be It Resolved that the recommendation of the Budget Director relative to the collection of taxes be under the supervision of the Tax Commissioners.

6.

Be It Resolved that the Clerk of Court be directed to handle the Vital Statistics without cost to county, we therefore ask for legislation to do this.

7.

Be It Resolved that this body go on record as abolishing the 10 o/o bonus for redistricting, now allowed County Superintendents.

8.

Be It Resolved that clarification be made on buying machinery on the installment plan.

9.

WHEREAS, it is extremely difficult to make an accurate estimate of public assistance needs for the State of North Dakota for a two-year period ahead because of the multiplicity of economic factors affecting the number of recipients, as well as the costs of necessities,

WHEREAS, during the present biennium the North Dakota Public Welfare Board was compelled to impose a ceiling on Old Age Assistance grants which require the counties to

provide 100 o/o county funds for the excess over the state ceiling which otherwise, would have been cared for on an 85 o/o state—15 o/o county matching basis, and

WHEREAS, the North Dakota Public Welfare Board is limited for expenditure to the amount appropriated by the North Dakota Legislature, regardless of any surplus, in the 5/12 portion of the Sales Tax Fund,

NOW THEREFORE, BE it Resolved that the North Dakota County Commissioners Association at its 42nd Annual Meeting at Minot, North Dakota on January 13, 1949, respectfully requests that appropriate legislation be enacted by the present session of the North Dakota Legislature by which, upon proper certification by the Public Welfare Board of North Dakota, the Emergency Commission headed by the governor of the State of North Dakota may be empowered to draw from the 5/12 welfare portion of the Sales Tax Funds sufficient amounts to continue state matching of public assistance, if previously appropriated state funds are insufficient.

10.

WHEREAS, Indians living on North Dakota Reservations have for some years been unable to earn enough wages to support themselves through the winter months, and

WHEREAS, the Federal Government which has assumed the responsibility of providing for the assistance needs of needy Indians has not appropriated sufficient funds to meet the needs for many years, causing hardships for the Indian families and the county government,

NOW THEREFORE, BE IT RESOLVED, that the county commissioners of North Dakota at their 42nd annual meeting at Minot, North Dakota on January 13, 1949, request the North Dakota Legislature to memorialize the Congress of the United States to make available ample funds for the general assistance needs of the Indians in North Dakota every fiscal year for as long as the situation on the reservation requires.

11.

BE IT RESOLVED by the North Dakota County Commissioners Association at its 42nd Annual Meeting held at Minot, North Dakota, on January 13, 1949, that the North Dakota Legislature during the present session be respectfully requested to reject any attempt to weaken or repeal the present statutes relating to property provisions, including Homestead Statements and Trust Mortgages of the Old Age Assistance program.

RESOLUTIONS COMMITTEE

LEWIS ODLAND, CHAIRMAN
NELS LINDAAS
J. R. FITZSIMMONS
BOYD RENWICK
D. W. KING

The President referred said Resolution to the Committee on General Affairs.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and En-

grossment respectfully report that they have examined the following bills:

Senate Bill No. 5.

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

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

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

Senate Concurrent Resolution "C."

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

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

REPORTS ON STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 8 have had the same under consideration and recommend that the same be amended as follows:

On page two, line 10, of the printed bill, after the words "Devils Lake," insert the language "or other adequate institution" and the same language in line 13 after the word "Bathgate." After the word "Grafton" in line 16 remove the period and add the language "or other adequate institution."

After the line 16 add the lines, "Adequate institution shall mean any school, public or private, specializing in the training of handicapped children, as stated."

And when so amended recommend the same do pass.

A. J. SANDNESS, Chairman.

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

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

A. J. SANDNESS, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 32 have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on Industry & Business to whom was referred Senate Bill No. 34 have had

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

MILTON RUE, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 48 have had the same under consideration and recommend that the same be indefinitely postponed.

A. J. SANDNESS, Chairman.

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

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

A. J. SANDNESS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 83 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 89 have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 90 have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 92 have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 93 have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 95 have had the same

under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred S. C. R. "E" have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

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

**MESSAGE FROM THE HOUSE
House Chamber**

Bismarck, January 19, 1949

Mr. President: I have the honor to transmit:

House Bill No. 8.
House Bill No. 36.
House Bill No. 58.
House Bill No. 59.
House Bill No. 86.
House Bill No. 87.
House Bill No. 88.

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

GEORGE OLSON, Chief Clerk.

CONSIDERATION OF AMENDMENTS

Senator Braun moved that the amendment to Senate Bill No. 39 be adopted, which motion prevailed.

Senator Morgan moved that the amendment to Senate Bill No. 60 be adopted which motion prevailed.

Senator Morgan moved that the amendment to Senate Bill No. 64 be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Reinke and Nelson of Steele and Griggs introduced:

Senate Bill No. 109. A Bill for an Act to amend and reenact sections 20-0103 and 20-0216 of the North Dakota Revised Code of 1943, relating to enforcement of game and fish laws and repealing section 20-0118 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Natural Resources.

Senator Morgan introduced:

Senate Bill No. 110. A Bill for an Act making an appropriation in the sum of Six Hundred Dollars (\$600.00) for the payment of a deficiency for postage, supplies, printing, furniture and fixtures, in the office of the Attorney General.

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

Senate Bill 111. A Bill for an Act making an appropriation of eight million three hundred forty-nine thousand
Senators Brunsdale, Morgan, Page and Reinke introduced:

three hundred seventy-six dollars for the purpose of matching federal funds allocated or to be allocated to the state of North Dakota for the purpose of construction and reconstruction of the public highways and bridges within the state.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 6. A Bill for an Act transferring forty-two thousand two-hundred eighty-five dollars and eighty-four cents from the utility valuation fund to the general fund.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were: ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Brant	Morgan	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhousen	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Barnes	Troxel
Foss	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work

Absent and not voting:

Bridston Duffy

So the bill passed and the title was agreed to.

Senate Bill No. 14. A Bill for an Act to amend and reenact section 40-2105 of the North Dakota Revised Code of 1943, relating to compensation of inspectors, judges, and clerks at municipal elections.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were: ayes, 42; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Bjorlie	Lynch	Shure
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Coghlan	Steele	Torno
Day	Nelson, McKenzie	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Olson, Mountrail	Welander
Fraser	Pyle	Wolf

Freed	Reinke	Work
Kamrath	Rue	
Krenz	Sandness	
Those voting in the negative were:		
Brunsdale	Page	Stucke
Nordhougen	Streibel	
Absent and not voting:		
Bridston	Duffy	

So the bill passed and the title was agreed to.

Senate Bill No. 37. A Bill for an Act to amend and reenact sections 36-1501, 36-1502, 36-1508, 36-1509, 36-1511 and 36-1513 of the North Dakota Revised Code of 1943, relating to bovine tuberculosis and Bang's disease.

Was read the second time.

Senator Nordhougen moved that Senate Bill 37 be indefinitely postponed.

The question being on the motion of Senator Nordhougen that Senate Bill 37 be indefinitely postponed.

ROLL CALL

the roll as called and there were: ayes, 40; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Lynch	Shure
Bilden	Morgan	Solberg
Bjorlie	Nelson, Griggs-	Spiekermeier
Blume	Steele	Strand
Braun	Nelson, McKenzie	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Feton	Olson, Barnes	Troxel
Foss	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Wolf
Leno	Schrock	Work
Lichty	Schoeder	

Those voting in the negative were:

Flatt	Krenz	Pyle
Brunsdale	Mehlhoff	Sandness

Absent and not voting:

Brant	Bridston	Duffy
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So the President declared the motion carried and the bill was indefinitely postponed.

Senate Bill No. 41. A Bill for an Act to amend and reenact section 20-0314 of the North Dakota Revised Code of 1943, relating to fees for commercial fishing licenses, 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, 43; nays, 2; absent and not voting, 4.

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Braun	Morgan	Solberg

Brunsdale	Nordhougen	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Streibel
Feton	O'Brien	Torno
Flatt	Olson, Barnes	Troxel
Foss	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work
Leno	Sandness	
Those voting in the negative were:		
Albers	Nelson, McKenzie	
Absent and not voting:		
Brant	Duffy	Stucke
Bridston		

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

Senate Bill No. 43. A Bill for an Act to amend and re-enact sections 20-0501, 20-0502, 20-0801, 20-0802 and 20-0803 of the North Dakota Revised Code of 1943 and section 20-0703 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to open seasons on game birds, fish, and game animals and the variations of such open seasons by order or proclamation by the governor.

Was read the second time.

Senator Shure moved that Senate Bill No. 43 be amended as follows: In line 118 that after the word "of" strike out the words "each species" and add the words antelope and mule deer.

The question being on the motion of Senator Shure to amend Senate Bill No. 43 the roll was called and there were: ayes, 11; nays, 35; absent and not voting, 3.

ROLL CALL

Those voting in the affirmative were:

Albers	Schrock	Stucke
Leno	Schoeder	Troxel
Mehlhoff	Shure	Wolf
Olson, Mountrail	Streibel	

Those voting in the negative were:

Bilden	Kamrath	Pyle
Bjorlie	Krenz	Reinke
Blunke	Lichty	Rue
Braun	Lynch	Sandness
Brunsdale	Morgan	Solberg
Coghlan	Nelson, Griggs-	Spiekermeier
Day	Steele	Strand
Feton	Nelson, McKenzie	Torno
Flatt	Nordhougen	Tuff
Foss	O'Brien	Wahlund
Fraser	Olson, Barnes	Welander
Freed	Page	Work

Absent and not voting:

Brant	Bridston	Duffy
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So the motion was declared lost.

Senate Bill No. 43, which has been read.

The question being on the final passage of the bill, the roll was called and there were ayes 38; nays, 7; absent and not voting, 4.

ROLL CALL

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Braun	Morgan	Shure
Brunsdale	Nelson, Griggs-	Solberg
Coghlan	Steele	Spiekermeier
Day	Nordhougen	Strand
Feton	O'Brien	Torno
Flatt	Olson, Barnes	Troxel
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Those voting in the negative were:

Albers	Nelson, McKenzie	Streibel
Leno	Olson, Mountrail	Tuff

Mehlhoff

Absent and not voting:

Brant	Duffy	Stucke
Bridston		

So the bill passed and the title was agreed to.

Senate Bill No. 59. A Bill for an Act making an appropriation for the administrative expenses of the Veterans' into or credited to the General Fund.

Was read the second time.

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

ROLL CALL

Those voting in the affirmative were:

Albers	Lichty	Schrock
Bilden	Lynch	Schoeder
Bjorlie	Mehlhoff	Shure
Blume	Morgan	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nordhougen	Streibel
Feton	Nelson, McKenzie	Stucke
Flatt	O'Brien	Torno
Foss	Olson, Barnes	Troxel
Fraser	Olson, Mountrail	Tuff
Freed	Page	Wahlund
Kamrath	Pyle	Welander
Krenz	Reinke	Wolf
Leno	Sandness	Work

Absent and not voting:

Brant	Bridston	Rue
Braun	Duffy	

So the bill passed and the title was agreed to.

Senate Bill No. 61. A Bill for an Act making an appropriation for the administrative expenses of the Veterans' Aid Commission.

Was read the second time.

The question being on the final passage of the bill the

roll was called and there were: ayes, 43; nays, 0; absent and not voting, 6.

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Bjorlie	Mehlhoff	Shure
Blume	Morgan	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Streibel
Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Olson, Mountrail	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz	Sandness	

Absent and not voting:

Brant	Duffy	Page
Bridston	Lynch	Strand

So the bill passed and the title was agreed to.

Senate Bill No. 62. 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.

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

So the bill passed and the title was agreed to.

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Bjorlie	Mehlhoff	Shure
Blume	Morgan	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Streibel
Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Olson, Mountrail	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz	Sandness	

Absent and not voting:

Brant	Duffy	Page
Bridston	Lynch	Strand

So the bill passed and the title was agreed to.

Senate Bill No. 63. A Bill for an Act making an appropriation for the care of insane patients whose residence cannot be determined and whose care must be borne by the State.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Bjorlie	Mehlhoff	Shure
Blume	Morgan	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Streibel
Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Olson, Mountrail	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz	Sandness	

Absent and not voting:

Brant	Duffy	Page
Bridston	Lynch	Strand

So the bill passed and the title was agreed to.

Senate Bill No. 65. A Bill for an Act making an appropriation for the purpose of paying a deficiency in the appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; and declaring an emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill the roll was called and there were: ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Lichty	Schoeder
Bilden	Mehlhoff	Shure
Bjorlie	Morgan	Solberg
Blume	Nelson, Griggs-	Spiekermeier
Braun	Steele	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nordhougen	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Barnes	Troxel
Foss	Olson, Mountrail	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Wolf
Krenz	Sandness	Work
Leno	Schrock	

Those voting in the negative were:

Day

Absent and not voting:

Brant	Duffy	Page
Bridston	Lynch	

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

Senate Bill No. 66. A Bill for an Act making an appro-

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

Those voting in the affirmative were:

Albers	Lichty	Schrock
Bilden	Mehlhoff	Schoeder
Bjorlie	Morgan	Shure
Blume	Nelson, Griggs-	Solberg
Braun	Steele	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nordhougen	Streibel
Day	O'Brien	Stucke
Feton	Olson, Barnes	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Page	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Wolf
Krenz	Sandness	Work

Leno

Absent and not voting:

Brant	Duffy	Lynch
Bridston		

So the bill passed and the title was agreed to.

Senate Bill No. 67. 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, the roll was called and there were: ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Lichty	Schrock
Bilden	Mehlhoff	Schoeder
Bjorlie	Morgan	Shure
Blunte	Nelson, Griggs-	Solberg
Braun	Steele	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nordhougen	Streibel
Day	O'Brien	Stucke
Feton	Olson, Barnes	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Page	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Wolf
Krenz	Sandness	Work

Leno

Absent and not voting:

Brant	Duffy	Lynch
Bridston		

So the bill passed and the title was agreed to.

Senate Bill No. 68. A Bill for an Act making an appropriation for inquest and burial of penal inmates, headstones for soldiers and sailors, action to release insane and list of new taxable lands.

Was read the second time.

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

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Schoeder
Bilden	Lichty	Shure
Bjorlie	Morgan	Solberg
Blume	Nelson, Griggs-	Spiekermeier
Braun	Steele	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Feton	Olson, Barnes	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz	Schrock	

Absent and not voting:

Brant	Duffy	Mehlhoff
Bridston	Lynch	Sandness

So the bill passed and the title was agreed to.

Senate Resolution No. 1. Be it Resolved by the Senate of the State of North Dakota: That there is hereby authorized the expenditure of four hundred dollars for rental of a committee room downtown in the City of Bismarck in which the appropriation committee of the Senate of the 1949 Legislative Assembly may meet, the same to be charged to the 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: 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Lichty	Schrock
Bilden	Mehlhoff	Schoeder
Bjorlie	Morgan	Shure
Blume	Nelson, Griggs-	Solberg
Braun	Steele	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nordhougen	Streibel
Day	O'Brien	Stucke
Feton	Olson, Barnes	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Page	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Work
Krenz	Sandness	Wolf
Leno		

Absent and not voting:

Brant Duffy Lynch
Bridston

So the Resolution passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 8. A Bill for an Act to amend and reenact section 23-0604 of the North Dakota Revised Code of 1943, relating to the time within which burial must be made.

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

House Bill No. 36. A Bill for an Act to amend and reenact section 19-1305 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to the regulation of the sale of commercial feeding stuffs in small packages.

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

House Bill No. 58. 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.

House Bill No. 59. A Bill for an Act making an appropriation for salaries and expenses of the Livestock Dealers Division.

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

House Bill No. 86. A Bill for an Act making an appropriation for the general maintenance of the Grafton State School, and declaring an emergency.

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

House Bill No. 87. A Bill for an Act making an appropriation for the operation and maintenance of the Penitentiary Tag and Sign Plant; and declaring an emergency.

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

House Bill No. 88. A Bill for an Act making a deficiency appropriation for the expenses of the Board of Administration and general maintenance and operation of the Capitol and grounds; and declaring an emergency.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Concurrent Resolution C. and the President signed the same in the presence of the Senate.

Senator Leno moved that the President appoint a committee of three to meet with a like committee from the House and see what they can do in regard to the printing of the Journal and Bills for the Legislative Session, which motion prevailed.

The President appointed as such committee, Senators Leno, Morgan and O'Brien.

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

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

W. J. TROUT, Secretary.

SEVENTEENTH DAY

Bismarck, January 20, 1949.

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

Prayer by the Chaplain, Rev. G. W. Stewart of Mandan.

Roll Call: All Senators present except Senators Bridston, Duffy and Shure.

A quorum was declared present by the President.

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

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

Page 99, line 7, correct spelling of word "Dakota."

Page 99, strike out line 27, insert in lieu thereof "needy Indians has not appropriated sufficient funds to meet," and correct spelling of assistance in line 26.

Page 102, line 34, strike out the word "and."

Page 103, line 12, correct spelling of word "utility."

Page 103, line 14, insert the word "on" between the words "being" and "the."

Page 104, line 18, correct spelling of name "Nordhougen."

Page 104, line 21, correct spelling of word "was."

Page 104, line 50, insert the word "on" between the words "being" and "the."

Page 105, line 26, correct spelling of the word "proclamation."

Page 106, line 58, correct spelling of word "appropriation."

Page 107, line 31, correct spelling of word "was."

Page 110, strike out lines 31, 32 and 33 and insert Senate Resolution 1 in lieu thereof.

Page 111, line 43, correct spelling of word "Concurrent."

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 20, 1949.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 4

Senate Bill No. 5

Senate Bill No. 9

Senate Bill No. 15

Senate Bill No. 35

Senate Bill No. 47

Senate C. R. "A."

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

W. J. TROUT, Secretary.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 20, 1949.

Mr. Speaker: I have the honor to transmit:

Senate C. R. "C."

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 20, 1949.

Mr. Speaker: I have the honor to return:

House C. R. "D."

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

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 20, 1949

Mr. President: I have the honor to transmit:

House C. R. "D."

Which the Senate has adopted.

GEORGE OLSON, Chief Clerk.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 20, 1949

Mr. President: I have the honor to transmit:

House Bill No. 27

House Bill No. 30

House Bill No. 89

House Bill No. 92

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

GEORGE OLSON, Chief Clerk.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 39

Senate Bill No. 60

Senate Bill No. 64

and find same correctly Engrossed.

EMIL TORNO, Chairman.

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

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following Resolution:

Senate Resolution No. 1
and find the same correctly Enrolled.

EMIL TORNO, Chairman.

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

REPORT OF STANDING COMMITTEES

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

On page 2, line 7, insert after the word "shall" the language "with the consent of the patient."

On page 2, line 13, insert after the word "shall" the language "with the consent of the patient."

On page 3, line 26, strike out the three words "state public health."

On page 3, line 45, insert a comma to be placed after the word "person."

On page 3, line 46, insert a comma to be placed after the word "woman."

And when so amended, recommend that it do pass and be re-referred to the Committee on Appropriations.

MELVIN OLSON, Chairman.

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

Roll Call: ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Bjorlie	Lynch	Solberg
Blunø	Mehlhaff	Spiekermeier
Brant	Nelson, McKenzie	Strand
Braun	Nelson, Griggs-	Streibel
Brunsdale	Steele	Stucke
Coghlan	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Olson, Mountrail	Wahlund
Fraser	Page	Welander
Freed	Reinke	Wolf
Kamrath	Sandness	Work
Krenz		

Those voting in the negative were:

Day	Morgan	Rue
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Absent and not voting:

Bridston	Duffy	Pyle
Shure		

The President re-referred Senate Bill 28 to the Committee on Appropriations.

Mr. President: Your Committee on Social Welfare to

whom was referred Senate Bill No. 29 have had the same under consideration and recommend that the same be indefinitely postponed.

MELVIN OLSON, Chairman.

Senator Schrock moved that the report be adopted.

Senator Brunsdale made a substitute motion that Senate Bill 29 be re-referred to the Committee on Agriculture, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 40 have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. BRAUN, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 42 have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. BRAUN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 58 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 72 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 82 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 87 have had the same under consideration and recommend that the same be amended as follows:

On Line 2, strike out the words, "or other disability;"

On Line 3, strike out the word "or;"

On Line 4, strike out the word, "disability."

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

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

Senator Day moved that the rules be suspended and that we adopt the amendments to Senate Bill 87, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 97 have had the same

under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 104 have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 108 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Resolution No. 2 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Sandness moved that the amendments to Senate Bill No. 8 be adopted, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Concurrent Resolution "D"

Was read the first time.

Senator Brunsdale moved that the rules be suspended and that the Resolution be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 26. A Bill for an Act to amend and reenact section 15-4801 of the North Dakota Revised Code of 1943, relating to calling elections to increase school district debt limits.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were: ayes, 44; nays, 2; absent and not voting, 3.

ROLL CALL

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Barnes	Tuff

Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Those voting in the negative were:

Lynch Olson, Mountrail

Absent and not voting:

Bridston Duffy Shure

So the bill passed and the title was agreed to.

Senate Bill No. 32. A Bill for an Act to prohibit domestic insurers from doing certain insurance business in states outside of North Dakota unless authorized in such other states.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were: ayes, 25 nays, 21; absent and not voting, 3.

ROLL CALL

Those voting in the affirmative were:

Brant	Krenz	
Braun	Mehlhoff	Reinke
Brunsdale	Morgan	Rue
Coghlan	Nelson, Griggs-	Sandness
Day	Steele	Strand
Feton	O'Brien	Torno
Flatt	Olson, Barnes	Troxel
Foss	Page	Wahlund
Freed	Pyle	Work

Those voting in the negative were:

Albers	Lynch	Solberg
Bilden	Nelson, McKenzie	Spiekermeier
Bjorlie	Nordhougen	Streibel
Blume	Schrock	Stucke
Fraser	Schoeder	Tuff
Kamrath	Lichty	Welander
Leno	Olson, Mountrail	Wolf

Absent and not voting:

Bridston Duffy Shure

So the bill passed and the title was agreed to.

Senate Bill No. 34. A Bill for an Act to amend and reenact section 18-0101 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to the fire marshal department.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were: ayes, 34; nays, 12; absent and not voting, 3.

ROLL CALL

Those voting in the affirmative were:

Albers	Lynch	Rue
Bilden	Mehlhoff	Sandness
Brant	Morgan	Schrock
Braun	Nelson, Griggs	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhougen	Torno
Feton	Olson, Barnes	Troxel
Flatt	O'Brien	Tuff
Foss	Page	Wahlund
Freed	Pyle	Work
Krenz	Reinke	

Those voting in the negative were:

Bjorlie	Leno	Solberg
Blume	Lichty	Stucke
Fraser	Olson, Mountrail	Welanders
Kamrath	Schoeder	Wolf

Absent and not voting:

Bridston	Duffy	Shure
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So the bill passed and the title was agreed to.

Senate Bill No. 39. A Bill for an Act to amend and reenact

sections 20-0105, 20-0106 and subsection 4 of 20-0503 of the North Dakota Revised Code of 1943, making it legal to shine for raccoon.

Was read the second time.

Senator Troxel moved that Senate Bill No. 39 be amended as follows: In line 58 strike out the figure "410" and insert the figure "12" in lieu thereof, which motion was lost.

Senator O'Brien moved that Senate Bill No. 39 be amended as follows: On page 3, line 44 after the word persons, insert a comma, and add the words, "having firearms in his or their possession," which motion prevailed.

Senator O'Brien moved that the rules be suspended and that Senate Bill No. 39 be considered properly engrossed and placed on Second Reading and Final Passage, which motion prevailed.

The question being on the final passage of the bill, as amended, the roll was called and there were: ayes, 40; nays, 3; absent and not voting, 6.

ROLL CALL

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness
Bjorlie	Lichty	Schoeder
Blume	Mehlhoff	Schrock
Brant	Morgan	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand

Coghlan	Nelson, McKenzie	Torno
Day	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Olson, Barnes	Welander
Foss	Page	Wolf
Fraser	Pyle	Work
Freed	Reinke	

Those voting in the negative were:

Leno	Olson, Mountrail	Stucke
Lynch	Streibel	Tuff

Absent and not voting:

Bridston	Duffy	Shure
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So the bill passed and the title was agreed to.

Senate Bill No. 50. A Bill for an Act to amend and reenact sections 15-2401, 15-2403, 15-2409 and 15-2501 of the North Dakota Revised Code of 1943 and subsection 5 of section 15-5314 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to directors in common school districts; providing means for increasing the number of directors in certain districts, and providing for rural representation.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were: ayes, 42; nays, 2; absent and not voting, 5.

ROLL CALL

Those voting in the affirmative were:

Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Feton	Nordhougen	Torno
Flatt	O'Brien	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Those voting in the negative were:

Olson, Mountrail	Wahlund
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Absent and not voting:

Albers	Duffy	Shure
Bridston	Page	

So the bill passed and the title was agreed to.

Senate Bill No. 60. 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.

Senator Morgan moved that Senate Bill No. 60 be amended as follows: In line 10, strike out the word "commissioner" and insert in lieu thereof the word "commissioners," which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 60 be considered properly engrossed and placed on the second reading and final passage, which motion prevailed.

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

ROLL CALL

Those voting in the affirmative were:

Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Spiekermeier
Braun	Morgan	Solberg
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nelson, McKenzie	Stucke
Feton	O'Brien	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Olson, Mountrail	Wahlund
Fraser	Page	Welanders
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Rue	

Absent and not voting:

Albers	Duffy	Shure
Bridston	Nordhougen	Torno

So the bill passed and the title was agreed to.

Senate Bill No. 64. 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.

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

ROLL CALL

Those voting in the affirmative were:

Bjorlie	Lichty	Sandness
Blume	Lynch	Schrock
Brant	Mehlhoff	Schoeder
Braun	Morgan	Solberg

Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nelson, McKenzie	Streibel
Feton	Nordhougen	Stucke
Flatt	O'Brien	Torno
Foss	Olson, Barnes	Troxel
Fraser	Olson, Mountrail	Tuff
Freed	Page	Wahlund
Kamrath	Pyle	Welander
Krenz	Reinke	Wolf
Leno	Rue	Work

Absent and not voting:

Albers	Bridston	Shure
Bilden	Duffy	

So the bill passed and the title was agreed to.

Senate Bill No. 83. A Bill for an Act to amend and reenact Section 1 of Chapter 72 of the Session Laws of 1945, numbered in the 1947 Supplement as Section 54-0320, Providing for allowance to members of the Legislative Assembly, making an appropriation; 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, 43; nays, 1; absent and not voting, 5.

ROLL CALL

Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Schrock
Braun	Morgan	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nelson, McKenzie	Streibel
Feton	Nordhougen	Stucke
Flatt	O'Brien	Torno
Foss	Olson, Barnes	Troxel
Fraser	Olson, Mountrail	Tuff
Freed	Page	Wahlund
Kamrath	Pyle	Welander
Krenz	Reinke	Wolf
Leno	Rue	Work
Lichty	Sandness	

Those voting in the negative were:

Brant

Absent and not voting:

Albers	Bridston	Shure
Bilden	Duffy	

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

Senator Reinke requested that the following communication be read and printed in the Journal.

Michigan Salaries Increased—In a special December session the Michigan legislature voted salary increases for executive, judicial, and legislative officers.

It increased the governor's salary to \$22,500, from the

previous \$7,500 salary and previous \$12,500 "private grant" for expenses. Other full time elective officers will receive \$12,500 instead of the previous \$7,500.

Members of the legislature will be paid \$2,400 annually in salary, plus \$500 a year for expenses, and mileage for one trip home a month during sessions. Previously they have received \$3 a day, or \$1,095 a year.

The lieutenant governor, as president of the Senate, will receive the regular legislative compensation, and \$3,500 annually for service on the State Administrative Board. The speaker of the House was voted a \$1,000 expense allowance.

Supreme Court Justices are to receive \$15,000 annually instead of the past \$12,000.

The approved increases add about \$300,000 a year to the payroll. Governor Kim Sigler declared, "Michigan will be able to get a better type of public servant at these salaries. The constructive effect will be felt in the future."

SECOND READING OF SENATE BILLS

Senate Bill No. 89. A Bill for an Act to amend and reenact section 57-0101 of the North Dakota Revised Code of 1943, relating to bond of tax commissioner.

Was read the second time.

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

ROLL CALL

Those voting in the affirmative were:

Bjorlie	Lichty	Sandness
Blume	Lynch	Schrock
Brant	Mehlhoff	Schoeder
Braun	Morgan	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nelson, McKenzie	Streibel
Feton	Nordhougen	Torno
Flatt	O'Brien	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Olson, Mountrail	Wahlund
Freed	Page	Welanders
Kamrath	Pyle	Wolf
Krenz	Reinke	Work
Leno	Rue	

Absent and not voting:

Albers	Bridston	Shure
Bilden	Duffy	Stucke

So the bill passed and the title was agreed to.

Senate Bill No. 90. A Bill for an Act to amend and reenact section 30-1607 of the North Dakota Revised Code of 1943, relating to hearings concerning homestead and other exempt property in probate proceedings.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were: ayes, 41; nays, 2; absent and not voting, 6.

ROLL CALL

Those voting in the affirmative were:

Bilden	Leno	Reinke
Bjorlie	Lichty	Rue
Blume	Lynch	Sandness
Brant	Mehlhoff	Schrock
Brunsdale	Morgan	Solberg
Coghlan	Nelson, Griggs-	Spiekermeier
Day	Steele	Strand
Feton	Nelson, McKenzie	Streibel
Flatt	Nordhougen	Torno
Foss	O'Brien	Troxel
Fraser	Olson, Barnes	Tuff
Freed	Olson, Mountrail	Wahlund
Kamrath	Page	Welander
Krenz	Pyle	Work

Those voting in the negative were:

Schoeder Wolf

Absent and not voting:

Albers	Bridston	Shure
Braun	Duffy	Stucke

So the bill passed and the title was agreed to.

Senate Bill No. 92. A Bill for an Act to amend and reenact section 28-0126 of the North Dakota Revised Code of 1943, relating to limitations on actions in case of death.

Was read the second time.

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

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Sandness
Bjorlie	Lynch	Schrock
Blume	Mehlhoff	Schoeder
Brant	Morgan	Solberg
Brunsdale	Nelson, Griggs	Spiekermeier
Coghlan	Steele	Strand
Day	Nelson, McKenzie	Streibel
Feton	Nordhougen	Torno
Flatt	O'Brien	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Olson, Mountrail	Wahlund
Freed	Page	Welander
Kamrath	Pyle	Wolf
Krenz	Reinke	Work
Leno	Rue	

Absent and not voting:

Albers	Bridston	Shure
Braun	Duffy	Stucke

So the bill passed and the title was agreed to.

Senate Bill No. 93. A Bill for an Act to amend and reenact sections 30-0219 and 30-1704 of the North Dakota Revised Code of 1943, relating to issuance and service citation in probate 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, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Bjorlie	Lynch	Sandness
Blume	Mehlhoff	Schrock
Brant	Morgan	Schoeder
Brunsdale	Nelson, Griggs-	Solberg
Day	Steele	Spiekermeier
Feton	Nelson, McKenzie	Strand
Flatt	Nordhougen	Streibel
Foss	O'Brien	Torno
Fraser	Olson, Barnes	Troxel
Freed	Olson, Mountrail	Tuff
Kamrath	Page	Wahlund
Krenz	Pyle	Welander
Leno	Reinke	Wolf
Lichty	Rue	Work

Absent and not voting:

Albers	Bridston	Shure
Bilden	Coghlan	Stucke
Braun	Duffy	

So the bill passed and the title was agreed to.

Senate Bill No. 95. A Bill for an Act to amend and reenact section 16-1001 of the North Dakota Revised Code of 1943, relating to boards of elections and prescribing qualifications.

Was read the second time.

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

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Sandness
Bjorlie	Lynch	Schrock
Blume	Mehlhoff	Schoeder
Brant	Morgan	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nelson, McKenzie	Streibel
Feton	Nordhougen	Torno
Flatt	O'Brien	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Olson, Mountrail	Wahlund
Freed	Page	Welander
Kamrath	Pyle	Wolf
Krenz	Reinke	Work
Leno	Rue	

Absent and not voting:

Albers	Bridston	Shure
Braun	Duffy	Stucke

So the bill passed and the title was agreed to.

Senate Concurrent Resolution "E". A concurrent resolution petitioning the secretary of the Interior and the

acting commissioner of Indian Affairs to take action with reference to claims awaiting presentation to the Indian Claims Commission.

The question being on the final passage of SCR. "E" the roll was called and there were: ayes, 42; nays, 0; absent and not voting, 7.

Was read the second time.

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Solberg
Brant	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Olson, Mountrail	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Rue	
Leno	Sandness	
Absent and not voting:		
Albers	Duffy	Shure
Braun	Morgan	Stucke
Bridston		

So the Resolution passed and the title was agreed to.

SIGNING OF BILLS

The Secretary announced that the President was about to sign Senate Resolution 1, and the President signed the same in the presence of the Senate.

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

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

W. J. TROUT, Secretary.

EIGHTEENTH DAY

Bismarck, January 21, 1949

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

Prayer by the Chaplain, Rev. G. W. Stewart, of Mandan.

Roll call: All Senators present except Senators Albers, Bridston, Duffy and Shure.

A quorum was declared present by the President.

Senator Streibel moved that the Third Order of business be moved to the foot of the Calendar, which motion prevailed.

Senator Rue moved that the communication from the Lawrence Stephenson Post No. 133 at Turtle Lake, North Dakota, be printed in the Journal, which motion prevailed.

Turtle Lake, North Dakota

January 10, 1949

RESOLUTION

The following resolution was passed unanimously at the January 10 meeting of the Lawrence Stephenson Post No. 133, at Turtle Lake, North Dakota:

"Be it hereby resolved that the following is a unanimous-concensus of opinion of this American Legion Post:

That the Legislature of the State of North Dakota, in determining a basis of payment of the proposed bonus for servicemen and women, who served prior to, during, and after the cessation of hostilities in World War II, take into account and give credit for service after VJ Day, by those who were in the armed services prior to VJ Day. That the overwhelming percentage of servicemen and women were not discharged or released in inactive service for various periods of time after VJ Day, and because that service was of such great importance and vital to the welfare of our country, a six-months period after VJ Day or the period until release from active duty, whichever period is earlier, should be considered in the basis for bonus payments.

O. R. Gunderson
Post Adjutant

The President referred the above communication to the Committee on Veterans' Affairs.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 21, 1949

Mr. Speaker. I have the honor to transmit:

Senate Bill No. 6

Senate Bill No. 14

Senate Bill No. 43
 Senate Bill No. 59
 Senate Bill No. 61
 Senate Bill No. 62
 Senate Bill No. 63
 Senate Bill No. 65
 Senate Bill No. 66
 Senate Bill No. 67
 Senate Bill No. 68

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

W. J. TROUT, Secretary.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarck, January 21, 1949

Mr. Speaker: I wish to inform you that the president has appointed Senators Leno, Morgan and O'Brien to act with a like committee from the House in regard to Legislative printing.

W. J. TROUT, Secretary

MESSAGE FROM THE HOUSE

House Chamber
 Bismarck, January 21, 1949

Mr. President: I have the honor to return Senate Concurrent Resolution "C"

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber
 Bismarck, January 21, 1949

Mr. President: I have the honor to transmit: House Concurrent Resolution "D"

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk

MESSAGE TO BOARD OF ADMINISTRATION

Senate Chamber
 Bismarck, January 21, 1949

To the Honorable Board of Administration, Bismarck, North Dakota.

Gentlemen:

I hereby transmit for filing in your office: Senate Concurrent Resolution "C"

Respectfully yours,

W. J. TROUT, Secretary

REPORT OF STANDING COMMITTEES

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 8
 Senate Bill No. 39
 Senate Bill No. 60
 Senate Bill No. 87

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

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

Mr. President: Your committee on State and Federal Affairs to whom was referred Senate Bill No. 96 have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 110 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your committee on State and Federal Affairs to whom was referred Senate Concurrent Resolution "F" have had the same under consideration and recommend that the same be re-referred to the Committee on Judiciary.

J. L. FLATT, Chairman.

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

Mr. President: Your committee on State and Federal Affairs to whom was referred Senate Concurrent Resolution "G" have had the same under consideration and recommend that the same be re-referred to the Committee on Judiciary.

J. L. FLATT, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Olson of Barnes moved that the amendments to Senate Bill No. 28 be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senator Rue introduced:

Senate Bill No. 112. A Bill for an Act to amend and reenact Section 39-0704, Revised Code of North Dakota for 1943, defining the powers of local authorities to regulate and control traffic by ordinances.

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

Senators Olson of Mountrail and Schoeder introduced:

Senate Bill No. 113. A Bill for an Act to amend and reenact section 19-1012 of the North Dakota Revised Code of 1943, relating to specifications for diesel fuel.

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

Senators Pyle and Shure at the request of the State Water Conservation Commission introduced:

Senate Bill No. 114. A Bill for an Act providing for the creation of water conservation and flood control districts; providing for the appointment of boards of water conservation and flood control commissioners and fixing their powers and duties; providing for the acquisition of property rights and the assessment of benefits against the property benefited, providing for the levy of special assessments, prescribing the duties of county commissioners relating to water conservation and flood control districts; providing for the exemption of federal projects and agencies; providing that water conservation and flood control districts may contract with federal and state departments or agencies, persons and corporations and may acquire property in adjoining states, repealing chapter 61-16 of the North Dakota Revised Code of 1943, and chapter 373, of the Session Laws of 1947; and declaring an emergency.

Was read the first time and referred to the Committee on Natural Resources.

Senators Feton, Morgan, Wahlund and Schrock introduced:

Senate Bill No. 115. A Bill for an Act to increase the salaries of county auditors, county treasurers, sheriffs, county superintendent of schools, register of deeds, county judges, state's attorneys, and clerks of the district court during the calendar years 1949, 1950, 1951 and 1952, making such increase retroactive to January 1, 1949 and declaring an emergency.

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

Senators Braun and Spiekermeier introduced:

Senate Bill No. 116. A Bill for an Act to amend and reenact section 61-2130 of the North Dakota Revised Code of 1943, relating to payment of costs and expenses of locating and constructing drains.

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

Senator Page introduced:

Senate Bill No. 117. A Bill for an Act fixing a limit on the time that old records must be retained by a bank, and limiting the time in which an action may be commenced on accounts.

Was read the first time and referred to the Committee on Business and Industry.

Senators Rue, Braun, Stucke and Nordhougen introduced:

Senate Bill No. 118. A Bill for an Act to amend and reenact subsection 8 of section 65-0102, sections 65-0207, 65-0428, 65-0512, 65-0527, 65-0801 of the North Dakota Revised Code of 1943; subsection 5 of section 65-0102, sections 65-0202, 65-0503, 65-0509, 65-0513, 65-0517, 65-0526, 65-0802 and 65-1001 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to workmen's compensation; and declaring an emergency.

Was read the first time and referred to the Committee on Business and Industry.

SECOND READING OF SENATE BILLS

Senate Bill No. 8. A Bill for an Act to amend and reenact Section 15-3402 of the North Dakota Revised Code of 1943, relating to compulsory school attendance of deaf, mute, blind or feeble minded persons.

Was read the second time.

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

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Sandness
Bjorlie	Lynch	Schrock
Blume	Mehlhoff	Schoeder
Brant	Morgan	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhougen	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Barnes	Troxel
Foss	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work
Leno		

Absent and not voting:

Albers	Duffy	Shure
Bridston		

So the bill passed and the title was agreed to.

Senate Bill No. 58. 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.

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nelson, McKenzie	Stucke
Day	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Page	Tuff
Fraser	Pyle	Wahlund

Freed	Reinke	Welander
Kamrath	Rue	Wolf
Krenz	Sandness	Work
Leno		

Absent and not voting:

Albers	Foss	Olson, Barnes
Bridston	Nordhougen	Shure
Duffy		

So the bill passed and the title was agreed to.

Senate Bill No. 72. A Bill for an Act making an appropriation to the North Dakota Firemen's Association.

Was read the second time.

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

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work
Leno	Sandness	

Absent and not voting:

Albers	Duffy	Olson, Barnes
Bridston	Foss	Shure

So the bill passed and the title was agreed to.

Senate Bill No. 82. A Bill for an Act making an appropriation for the purpose of operating and maintaining the Teachers' Insurance and Retirement Fund.

Was read the second time.

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

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nelson, McKenzie	Torno
Day	Nordhougen	Stucke

Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work
Leno	Sandness	

Absent and not voting:

Albers	Duffy	Olson, Barnes
Bridston	Foss	Shure

So the bill passed and the title was agreed to.

Senate Bill No. 87. A Bill for an Act providing for survival of causes of action.

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, 43; nays, 0; absent and not voting, 6.

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work
Leno	Sandness	

Absent and not voting:

Albers	Duffy	Olson, Barnes
Bridston	Foss	Shure

So the bill passed and the title was agreed to.

Senate Bill No. 97. A Bill for an Act transferring four hundred three dollars and ninety-four cents from the Scale Inspection Fund to the General Fund.

Was read the second time.

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

ROLL CALL

Those voting in the negative were:

Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel

Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work
Leno	Sandness	

Absent and not voting:

Albers	Duffy	Olson, Barnes
Bridston	Foss	Shure

So the bill passed and the title was agreed to.

Senate Bill No. 104. A Bill for an Act to provide for the retirement of elected state officials, providing for manner of making application therefor and for compensation in case of retirement, the method of filling vacancies, and declaring an emergency.

Was read the second time.

Senator Olson of Mountrail moved that Senate Bill No. 104 be amended as follows: At the end of line 18 of the printed bill, strike out the period, insert a comma, and add the following language: "until the next general election when a successor shall be elected for the balance of the term, if any," which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 104 be deemed properly re-engrossed and placed upon second reading and final passage, which motion prevailed.

The question being on the final passage of Senate Bill 104, as amended, the roll was called and there were: ayes, 42; nays, 0; absent and not voting, 7.

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Sandness	Work
Leno		

Absent and not voting:

Albers	Foss	Rue
Bridston	Olson, Barnes	Shure
Duffy		

So the bill passed and the title was agreed to.

Senator Streibel moved that action on Senate Bill No. 108 be laid over until it is printed, which motion prevailed.

Senator Streibel moved that action on Senate Resolution 2 be laid over until it is printed, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 27. A Bill for an Act to amend and reenact sections 44-0804 and 44-0805 of the North Dakota Revised Code of 1943, relating to expenses allowed public officers and the penalty for a false claim and declaring an emergency.

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

House Bill No. 30. A Bill for an Act to amend and reenact section 40-0507 of the North Dakota Revised Code of 1943, relating to fines and penalties for violation of village by-laws or ordinances.

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

House Bill No. 89. A Bill for an Act to amend and reenact section 1-0301 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to holidays.

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

House Bill No. 92. A Bill for an Act relating to notice of time and place of annual elections in school districts; amending section 15-2404 and repealing section 15-2407 of the North Dakota Revised Code of 1943.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign House Concurrent Resolution "D."

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

Senator Brunsdale moved that the Senate resolve itself into an Executive Session and receive a message from the Governor, which motion prevailed.

The President of the Senate announced that the Senate sitting in Executive Session resolved itself into a committee as of the whole and that they advised, consented and confirmed the nominations presented to the Executive Session by the Governor.

Senator Brunsdale moved that the Senate do now recess until 1:30 p. m., January 22, 1949, which motion prevailed, and the Senate stood recessed.

W. J. TROUT, Secretary.

EIGHTEENTH DAY AFTER RECESS AND
NINETEENTH DAY

Bismarck, January 22, 1949

The Senate convened at 1:30 P. M., pursuant to recess taken, the President presiding.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Seventeenth day and recommends that the same be corrected as follows:

Page 116, line 42, correct the spelling of the word "Judiciary."

Page 116, after the word adopted in line 52 insert the following paragraph:

Senator Day moved that the rules be suspended and that we adopt the amendments to Senate Bill No. 87, which motion prevailed."

Page 119, line 29, strike out the name "O'Brien" and insert the name "Troxel."

Page 119, after line 41, insert "3; absent and not voting 6."

Page 120, strike out line 10 and insert in lieu thereof lines 12 & 13 and on the same page strike out lines 12 & 13 and insert in lieu thereof line 10.

Page 120, strike out line 44, and insert in lieu thereof: "Those voting in the negative were:"

Page 121, after line 37, paragraph and insert "So the bill passed and the title was agreed to.

Page 122, after line 40, insert lines 44 and 45.

Page 123, line 18, correct spelling of word "better."

Page 126, after line 5, insert lines 26, 27 and 28.

Page 126, line 32, after word "to" insert the word "sign."

Page 126, line 38, correct spelling of the word "adjourn."

Page 125, in the second line from the bottom, strike out the word "House" at the beginning of the line and insert the word "Senate," and strike out the title as printed, and insert correct title of Senate Concurrent Resolution "E."

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which mo-

tion prevailed and the report was adopted.

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

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

W. J. TROUT, Secretary.

NINETEENTH DAY

Bismarck, January 22, 1949

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

Prayer by the Chaplain, Rev. G. W. Stewart of Mandan.

Roll Call: All Senators present except Senators Albers, Bridston, Duffy, Fetton, Foss, Freed, Nelson of Steele and Griggs, Olson of Barnes, Schrock, Shure, Stucke and We-lander.

A quorum was declared present by the President.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 22, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 26
 Senate Bill No. 32
 Senate Bill No. 34
 Senate Bill No. 39
 Senate Bill No. 50
 Senate Bill No. 60
 Senate Bill No. 64
 Senate Bill No. 83
 Senate Bill No. 89
 Senate Bill No. 90
 Senate Bill No. 92
 Senate Bill No. 93
 Senate Bill No. 95
 Senate Concurrent Res. "E"

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, January 22, 1949

Mr. Speaker: I have the honor to return:

House Concurrent Res. "D"
 Which the President has signed.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 22, 1949

Mr. President: I have the honor to transmit:

House Bill No. 2
 House Bill No. 48
 House Bill No. 53
 House Bill No. 55
 House Bill No. 62
 House Bill No. 73
 House Bill No. 74
 House Bill No. 77
 House Bill No. 78
 House Bill No. 79

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

GEORGE OLSON, Chief Clerk.

MESSAGE FROM THE HOUSE

House Chamber
 Bismarck, January 22, 1949

Mr. President: I have honor to transmit:

House Bill No. 38
 House Bill No. 47
 House Bill No. 56

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

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, January 22, 1949

Mr. President: I have the honor to transmit:

House Bill No. 83
 House C. R. "A"

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

GEORGE OLSON, Chief Clerk.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eighteenth day and recommends that the same be corrected as follows:

Page 127, line 9, insert the word "present" between the words "declared" and "by;" line 24, correct spelling of word "Legislature;" line 25, correct spelling of word "determining," and line 27, correct spelling of word "hostilities."

Page 129, insert line 43 after line 38.

Page 130, line 7, correct spelling of word "flood;" line 12, correct spelling of word "providing;" line 31, correct spelling of word "retroactive," and after the last line, paragraph and insert "Was read the first time and referred to the Committee on Business and Industry."

And when so corrected recommends that the same be

approved.

EDWARD LENO, Chairman.

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

Senator Blume moved that the Resolution from the Wm. G. Carrol Post No. 26, Minot, North Dakota, be printed in the Journal, which motion prevailed.

THE AMERICAN LEGION

Wm. G. Carrol Post No. 26

Minot, North Dakota

January 12, 1949

RESOLUTION

WHEREAS; The citizens of North Dakota have approved, by their majority vote, that a bonus be paid to veterans of World War II, and,

WHEREAS; The Legislative Research Committee has introduced two bills, (Senate Number One and Senate Number Two) to provide for payment of the bonus; to provide for tax levies to pay for general obligation bonds; to provide the amount of bonus to be paid each individual; and setting dates of service for which bonus will be paid; and,

WHEREAS; Senate Bill 2 specifies that payment shall be made for service "To North Dakota veterans of World War II who served in the armed forces of the United States or governments allied with the United States government in World War II between September 16, 1940 and September 2, 1945;" and,

WHEREAS; The members of William G. Carrol Post No. 26, The American Legion, Minot, in regular meeting discussed the said dates and believe them to be discriminatory to a great majority of servicemen and women of World War II, and favorable only to a small minority of servicemen from North Dakota in World War II;

NOW, THEREFORE, BE IT RESOLVED, That in order to give consideration to, and payment for service rendered by the greater number of servicemen and women who were on active duty long after September 2, 1945, as against the small number on duty prior to the beginning of the war on December 7, 1941, or the date as specified in Senate Bill 2, (September 16, 1940) that the effective dates of payment be more equally adjusted to give payment for service during wartime.

And further, Be it Resolved, that suggested dates of payment should be as follows: "From June 1, 1941 to March 31, 1946, both dates inclusive;" or an arrangement of dates somewhat closely corresponding to the dates above suggested.

For Wm. G. CARROL POST No. 26,
The American Legion,
BY: Resolutions Committee
Leslie E. Maupin
Richard McGee

Senator Mehlhaff moved that the Resolution from the Frank Piper American Legion Post No. 53 of Ashley, North Dakota, be printed in the Journal, which motion prevailed.

The following Resolution was passed unanimously at the December 28th meeting of the Frank Piper American Legion Post No. 53 of Ashley, North Dakota.

Be it hereby resolved that the following is the unanimous consensus of opinion of this Post:

That the Legislature of the State of North Dakota in determining a basis of payment of the proposed bonus for Servicemen and women who served prior to, during and after the cessation of hostilities in World War II take into account and give credit for service after VJ Day by those who were in the Armed Services prior to VJ Day. That the overwhelming percentage of Servicemen and women were not discharged or released to inactive service for various periods of time after VJ Day and that such service was of great importance and vital to the welfare of our country. That it is only fair, honest, just and reasonable that full credit be given for said Post-War service in calculating the length of service time for which the individual serviceman or woman is to receive credit in ascertaining the length of his or her service in the Armed Forces for the calculation of the amount of bonus such person may receive.

The President referred both of the foregoing Resolutions to the Committee on Veterans' Affairs.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 28

Senate Bill No. 104

and find the same correctly Engrossed.

EMIL TONRO, Chairman.

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

Mr. President: Your Committee on Military Affairs to whom was referred Senate Bill No. 2 have had the same under consideration and recommend that the same be amended as follows:

After line 88. page 5, insert the following: "No person shall be considered a resident of North Dakota for the purpose of receiving any benefits under this Act, if he was on continuous active duty in the armed forces for a period of five years or more, immediately prior to December 7, 1941, and has not established actual abode in North Dakota prior to the effective date of this Act."

Renumber the lines.

And when so amended recommend the same do pass.

REINHART KRENZ, Chairman.

Senator Krenz moved that the report be adopted, which

motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 53 have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure \$175,100.00 and insert the figure \$174,600.00 in lieu thereof.

Strike out all of line 20 and renumber the lines.

In line 21 for Total strike out the figure \$50,100.00 and insert the figure \$49,600.00 in lieu thereof.

In line 26 for Grand Total strike out the figure \$175,100.00 and insert the figure \$174,600.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 70 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 87 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 88 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

FIRST READING OF SENATE BILLS

Senators Rue, Shure and Braun introduced.

Senate Bill No. 119. A Bill for an Act to amend and reenact sections 57-3826 of the 1947 Supplement to the North Dakota Revised Code of 1943 and 57-3829 of the North Dakota Revised Code of 1943, relating to income tax.

Was read the first time and referred to the Committee on Industry and Business.

Senators Streibel and Lynch at the request of the Unemployment Division of the North Dakota Workmen's Compensation Bureau introduced:

Senate Bill No. 120. A Bill for an Act to amend and reenact sections 52-0201 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to unemployment compensation division and North Dakota state employment service to be divisions of bureau; regulations governing; 52-0413, priority rights to contributions upon legal dissolutions or distributions; 52-0602, relating to disqualification for benefits; 52-0604, relating to amount of benefits.

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

Senators Streibel and Lynch at the request of the Unemployment Division of the North Dakota Workmen's Compensation Bureau introduced:

Senate Bill No. 121. A Bill for an Act to amend and reenact section 52-0412 of the 1947 Supplement to the North Dakota Revised Code of 1943, of the Unemployment Compensation Law, relating to civil action to collect contributions or interest; priority of action on calendar; providing for judgments.

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

Senators Streibel and Lynch at the request of the Unemployment Division of the North Dakota Workmen's Compensation Bureau introduced:

Senate Bill No. 122. A Bill for an Act to amend and reenact section 52-0414 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to adjustment and refund of contributions.

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

Senator Page introduced:

Senate Bill No. 123. A Bill for an Act fixing limitations on revocations, countermands of payments and stop payment orders relating to the payment of checks or drafts against bank accounts.

Was read the first time and referred to the Committee on Industry and Business.

Senators Morgan and O'Brien introduced:

Senate Bill No. 124. A Bill for an Act to amend and reenact sections 24-0204, 39-0201 and 39-0203 of the North Dakota Revised Code of 1943 and 39-0202 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to the registrar of motor vehicles.

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

Senators Braun and Duffy introduced.

Senate Bill No. 125. A Bill for an Act relating to the collection, payment and dishonor of demand items by banks and the revocation of credit for and payment of such items.

Was read the first time and referred to the Committee on Industry and Business.

Senators Krenz, Rue, Wahlund, Leno, Nordhougen and Brant introduced:

Senate Bill No. 126. A Bill for an Act amending and re-enacting Section 37-0301 of the 1947 Supplement to 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 Affairs.

Senators Stucke, Mehlhaff and Day introduced:

Senate Bill No. 127. A Bill for an Act providing for the establishment and regulation of rural hospitals, community clinics, health stations, first aid stations, and providing for the training of internes, nurses and other health workers and facilitating the placement and training of physicians and surgeons in the State of North Dakota.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 96. A Bill for an Act to amend and re-enact section 16-1709 of the North Dakota Revised Code of 1943, relating to county committee of political parties.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes: 36; nays, 1; absent and not voting, 12.

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Schoeder
Bjorlie	Lynch	Solberg
Blume	Mehlhaff	Spiekermeier
Brant	Morgan	Strand
Braun	Nelson, McKenzie	Streibel
Brunsdale	Nordhougen	Torno
Coghlan	O'Brien	Troxel
Day	Olson, Mountrail	Tuff
Flatt	Pyle	Wahlund
Fraser	Reinke	Wolf
Kamrath	Rue	Work
Krenz		
Leno	Sandness	

Those voting in the negative were:

Page

Absent and not voting.

Albers	Freed	Shure
Bridston	Nelson, Griggs-	Stucke
Duffy	Steele	Welanders
Feton	Olson, Barnes	
Foss	Schrock	

So the bill passed and the title was agreed to.

Senator Brunsdale moved that Senate Bill No. 108 and Senate Bill No. 110 be laid over until they are printed, which motion prevailed.

Senator Brunsdale moved that the rules be suspended and that Senate Resolution 2 be placed upon second reading and final action, which motion prevailed.

Senate Resolution No. 2. A resolution to appoint an official photographer for the Senate of the Thirty-first Legislative Assembly of the State of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were: ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Bilden	Lichty	Sandness
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, McKenzie	Strand
Brunsdale	Nordhougen	Streibel
Coghlan	O'Brien	Torno
Day	Olson, Mountrail	Troxel
Fraser	Page	Tuff
Kamrath	Pyle	Wahlund
Krenz	Reinke	Wolf
Leno	Rue	Work

Absent and not voting.

Albers	Foss	Schrock
Bridston	Freed	Shure
Duffy	Nelson, Griggs-	Stucke
Feton	Steele	Welanders
Flatt	Olson, Barnes	

So the Resolution passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 2. A Bill for an Act to amend and reenact chapter 11-31 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to county highway engineers; providing for election for creation and termination of office of county highway engineer, and declaring an emergency.

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

House Bill No. 38. A Bill for an Act to regulate the sale and distribution of mixed fertilizers and fertilizer materials and repealing chapter 19-15 of the North Dakota Revised Code of 1943.

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

House Bill No. 47. A Bill for an Act to amend and reenact sections 57-3602, 57-3606, subsections 2 and 3 of sections 57-3607, 57-3608, 57-3611, 57-3613 and section 2 of section 57-3620 of the North Dakota Revised Code of 1943, relating to tax on cigarettes and snuff and removing the tax on cigarette papers and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 48. A Bill for an Act to amend and reenact sections 15-2509 of the 1947 Supplement to the North Dakota Revised Code of 1943 and 15-2511 of the North Dakota Revised Code of 1943, relating to powers of school districts to admit pupils from other districts and providing for payment of tuition.

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

House Bill No. 53. A Bill for an Act to amend and reenact Section 18-0405 of the North Dakota Revised Code of 1943, providing for an appropriation for fire departments; and declaring an emergency.

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

House Bill No. 55. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Gasoline Tax Division in the office of the State Auditor.

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

House Bill No. 56. A Bill for an Act making an appropriation for the enforcement and administration of the Attorney General Licensing Department.

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

House Bill No. 62. A Bill for an Act making an appropriation to carry out the provisions of Chapter 6-07 of the 1947 Supplement to the North Dakota Revised Code of 1943 for the Closed Bank Fund.

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

House Bill No. 73. 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.

House Bill No. 74. A Bill for an Act making an appropriation for a pension for Dennis Duane Crites, minor child of National Guardsman John E. Crites.

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

House Bill No. 77. 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.

House Bill No. 78. 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.

House Bill No. 79. 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.

House Bill No. 83. A Bill for an Act making an appropriation for the purpose of paying for oleomargarine stamps; and declaring an emergency.

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

House Concurrent Resolution "A". A Concurrent Resolution petitioning congress to enact permanent legislation to maintain a floor of not less than one hundred percent of parity on all basic farm crops.

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

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

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

W. J. TROUT, Secretary.

TWENTY-FIRST DAY

Bismarck, January 24, 1949

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

Prayer by the Chaplain, Rev. Edward Kary of Bismarck.

Roll Call: All Senators present except Senators Albers, Blume, Day, Duffy, Morgan, Nelson of Steele-Griggs, Shure.

A quorum was declared present by the President.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eighteenth Day after Recess and Nineteenth day and recommends that the same be corrected as follows.

Page 137, line 34, strike out "38" and insert "32" and strike out "correct spelling of the word "adjourn" and insert in lieu thereof "after the word "to" insert the."

Page 141, line 40, add the letters "ed" to the word "amend."

Page 142, line 4, between the words "the" and "under" insert the word "same;" line 31, between the words "have and "the" insert the word "had."

Page 144, after line 29 insert line 22.

Page 147, line 25, correct spelling of the word "farm."

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

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

PETITIONS AND COMMUNICATIONS

Senators Reinke and Welander presented a petition signed by 273 resident hunters urging that the State of North Dakota bar non-resident hunters for a period of two years.

The President referred this petition to the Committee on Natural Resources.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 24, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 8
Senate Bill No. 58
Senate Bill No. 72
Senate Bill No. 82
Senate Bill No. 87
Senate Bill No. 97
Senate Bill No. 104

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

W. J. TROUT, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Resolution No. 2

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 17 have had the same under consideration and recommend that the same be indefinitely postponed.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 36 have had the same under consideration and recommend that the same do pass.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 49 have had the same under consideration and recommend that the same do pass.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on Finance and Taxation

to whom was referred Senate Bill No. 88 have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that action on Senate Bill No. 88 be laid over one legislative day, which motion prevailed.

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

G. I. FETON, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 47 have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senate Krenz moved that the amendment to Senate Bill No. 2 be adopted, which motion prevailed.

Senator Brunsdale moved that the amendment to Senate Bill No. 53 be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Reinke, Streibel and Mehlhaff introduced:

Senate Bill No. 128. A Bill for an Act relating to non-resident hunting license.

Was read the first time and referred to the Committee on Natural Resources.

SECOND READING OF SENATE BILLS

Senate Bill No. 70. A Bill for an Act making an appropriation for the financing of the operations of the State Soil Conservation Committee and the activities of the State Soil Conservation Districts.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were: ayes, 40; nays, 0; absent and not voting, 9.

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Solberg
Bjorlie	Lynch	Spiekermeier
Brant	Mehlhaff	Strand
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nordhougen	Stucke
Coghlan	O'Brien	Torno
Feton	Olson, Barnes	Troxel
Flatt	Schoeder	

Foss	Olson, Mountrail	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Wolf
Krenz	Sandness	Work
Leno	Schrock	

Absent and not voting.

Albers	Duffy	Page
Blume	Morgan	Shure
Braun	Nelson, Griggs-	
Day	Steele	

So the bill passed and the title was agreed to.

Senate Bill No. 108. A Bill for an Act making an appropriation for the completion of the new building and equipment and a sewage disposal plant for the North Dakota Soldiers' Home at Lisbon, North Dakota; 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, 40; nays, 0; absent and not voting, 9.

ROLL CALL

Those voting in the affirmative were:

Bilden	Leno	Solberg
Bjorlie	Lichty	Spiekermeier
Brant	Lynch	Strand
Braun	Mehlhoff	Streibel
Bridston	Nelson, McKenzie	Stucke
Brunsdale	Nordhougen	Torno
Coghlan	Olson, Barnes	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	O'Brien	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Sandness	Work
Kamrath	Schoeder	
Krenz	Schrock	

Absent and not voting.

Albers	Morgan	Page
Blume	Nelson, Griggs-	Rue
Day	Steele	Shure
Duffy		

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 making an appropriation in the sum of Six Hundred Dollars (\$600.00) for the payment of a deficiency for postage, supplies, printing, furniture and fixtures, in the office of the Attorney General.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were: ayes, 40; nays, 0; absent and not voting, 9.

ROLL CALL

Bilden	Leno	Schoeder
Bjorlie	Lichty	Solberg
Brant	Lynch	Spiekermeier
Braun	Mehlhoff	Strand
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nordhougen	Stucke
Coghlan	O'Brien	Torno
Feton	Olson, Barnes	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Pyle	Wahlund
Fraser	Reinke	Welander
Freed	Sandness	Wolf
Kamrath	Schrock	Work
Krenz		

Absent and not voting.

Albers	Duffy	Page
Blume	Morgan	Rue
Day	Nelson, Griggs- Steele	Shure

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

SECOND READING OF HOUSE BILLS

House Bill No. 87. A Bill for an Act making an appropriation for the operation and maintenance of the Penitentiary Tag and Sign Plant; 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, 41; nays, 0; absent and not voting, 8.

ROLL CALL

Those voting in the affirmative were:

Bilden	Leno	Schoeder
Bjorlie	Lichty	Solberg
Brant	Lynch	Spiekermeier
Braun	Mehlhoff	Strand
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nordhougen	Stucke
Coghlan	O'Brien	Torno
Feton	Olson, Barnes	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Sandness	Work
Krenz	Schrock	

Absent and not voting.

Albers	Duffy	Rue
Blume	Morgan	Shure
Day	Nelson, Griggs- Steele	

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

House Bill No. 88. A Bill for an Act making a deficiency appropriation for the expenses of the Board of Administration and general maintenance and operation of the Capitol and grounds; and declarin^g and emergency.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were: ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nordhougen	Streibel
Coghlan	O'Brien	Stucke
Feton	Olson, Barnes	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Page	Tuff
Fraser	Pyle	Wahlund
Freed	Keinke	Welander
Kamrath	Rue	Wolf
Krenz	Sandness	Work

Absent and not voting:

Albers	Duffy	Nelson, Griggs-
Blume	Morgan	Steele
Day		Shure

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

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

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

W. J. TROUT, Secretary.

TWENTY-SECOND DAY

Bismarck January 25, 1949

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

Prayer by the Chaplain, Rev. Edward Kary of Bismarck.

Roll Call: All Senators present except Senators Duffy and Nelson of Griggs-Steele.

A quorum was declared present by the President.

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

Mr. President. Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-first day and recommends that the same be corrected as follows:

Page 149, line 26, correct spelling of the word "recommends."

Page 150, line 26, correct spelling of the word "the."

Page 151, line 14, insert the word "had" between the words "have" and "the."

Page 151, line 36; page 152, line 20, and line 51; page 153, line 29 and page 154, line 7, insert the word "on" between the words "being" and "the."

Page 150, line 1; page 152, line 1; page 154, line 1, strike out the word "House" and insert "Senate."

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

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

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, January 25, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 70

Senate Bill No. 96

Senate Bill No. 108

Senate Bill No. 110

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

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, January 25, 1949

Mr. Speaker: I have the honor to return:
House Bill No. 87
House Bill No. 88
Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, January 25, 1949

Mr. President: I have the honor to transmit:
House Bill No. 12
House Bill No. 13
House Bill No. 21
House Bill No. 22
House Bill No. 98

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

GEORGE OLSON, Chief Clerk.

MESSAGE TO THE SECRETARY OF STATE

Senate Chambers
January 25, 1949

Honorable Thomas Hall,
Secretary of State,
State Capitol,
Bismarck, North Dakota
Dear Mr. Hall:

I herewith transmit, for filing in your office, properly executed Oath of Office forms for the Lieutenant Governor, the Senators Elect, and the Hold-over Senators of the 31st Legislative Assembly.

Respectfully yours,
W. J. TROUT, Secretary.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

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

Senate Bill No. 2
Senate Bill No. 53
And find the same correctly Engrossed.

EMIL TORNO, Chairman.

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

Mr. President: Your Committee on Natural Resources

to whom was referred Senate Bill No. 3 have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 10 have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 11 have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions 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 word "Attorney" and insert the word Attorneys.

Line 8, Strike out the words "an assistant" and insert the word assistants.

Line 12, Strike out the words "an assistant" and insert the word assistants.

And when so amended recommend the same do pass.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 13 have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 16 have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 18 have had the same

under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

Senator Schrock moved that Senate Bill No. 18 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 19 have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

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

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

Strike out the comma in line 8 of the bill, insert the following language, "and the consent of not less than a majority of the city employees covered by the provisions of such chapter" and insert a comma.

And when so amended recommend the same do pass.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 21 have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 22 have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

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

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

W. H. SHURE, Chairman.

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

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

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 29 have had the same under consideration and recommend that the same be indefinitely postponed.

WALTER TROXEL, Chairman.

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

Senator Troxel: Our action on Senate Bills 29 and 30 should not be construed as an attempt to hamper in any way either the Health Department or the Dairy Department.

We have here two overlapping agencies apparently both wanting to enlarge their authority. It is too bad that two departments so vital to the public health and the development of the dairy industry should be opposing each other instead of working in harmony for the welfare of the public.

We suggest that they get together and work out some satisfactory agreement to both departments and acceptable to the public, and in two years bring in such a bill, and I am sure it will receive favorable consideration.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 30 have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted.

Senator Rue made a substitute motion that Senate Bill No. 30 be indefinitely postponed, which motion was lost.

The question being on Senator Troxel's motion that Senate Bill No. 30, do pass, which motion prevailed.

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

On line 5, after the title, strike out the rest of the line;

On line 6, strike out the words up to and including the word "or" and capitalize the word "as;"

On line 7, after the comma, insert the words "but not later than one week after each election,";

On line 22, before the word "number" insert the word "total";

On line 23, after the word "county" insert the words "and the votes cast";

On line 53, strike out the word "members" and insert, in lieu thereof, the word "nominees";

On line 54, strike out the first word "of" and insert, in lieu thereof, the word "for";

On line 111, strike out the word "Within" and insert, in lieu thereof, the words "On call of the secretary of state but not later than";

On line 123, strike out the last two words "on the";

Strike out all of lines 124 and 125;

On line 126, strike out everything up to and including the word "election" and insert, in lieu thereof, the words "on call of the secretary of state not later than twenty days after any such election"; and

Renumber the lines.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 44 have had the same under consideration and recommend that the same do pass.

W. J. BRAUN, Chairman.

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

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

In line 1 of the title strike out the word "PROTRUDE" and insert in lieu thereof the words "BE LOADED."

Strike out lines 3, 4, 5, 6, & 7 in the printed bill, and insert in lieu thereof the following language:

"No person, in possession of any kind of a shotgun or rifle, shall carry or transport the same with live ammunition in either the chamber or magazine while in or on any vehicle, while traveling upon the highways of the state or in the open field during any open season for the taking of game, birds or animals. Provided, however, that a land owner or tenant may carry and transport a shotgun or rifle, loaded with live ammunition, at any time of the year on land owned or leased by him for the purpose of killing predatory birds or animals.

And when so amended recommend the same do pass.

W. J. BRAUN, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 85 have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 100 have had the same under consideration and recommend that the same do pass.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 103 have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 107 have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. BRAUN, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "G" have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

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

On line 7 of the engrossed bill, strike out the words "one hundred" and insert, in lieu thereof, the word "fifty."

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred House Con. Res. "A" have the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

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

FIRST READING OF SENATE BILLS

Senator Braun introduced:

Senate Bill No. 129. A Bill for an Act to amend and reenact section 20.0502 and section 20-0504 of the North Dakota Revised Code of 1943, relating to the time and manner of taking big game animals and declaring an emergency.

Was read the first time and referred to the Committee on Natural Resources.

The Committee on Natural Resources introduced:

Senate Bill No. 130. A Bill for an Act to amend and reenact subsection 2 of section 20-0507 of the North Dakota Revised Code of 1943, relating to the attaching of seals to the carcasses of big game animals and the manner of so doing, and declaring an emergency.

Was read the first time and referred to the Committee on Natural Resources.

The Committee on Natural Resources introduced:

Senate Bill No. 131. A Bill for an Act to amend and reenact sections 20-0604 and 20-0605 of the North Dakota Revised Code of 1943, relating to creel limit on pike, the size of protected fish that may be taken; and declaring an emergency.

Was read the first time and referred to the Committee on Natural Resources.

The Committee on Natural Resources introduced:

Senate Bill No. 132. A Bill for an Act to amend and reenact section 20-0705 of the North Dakota Revised Code of 1943, relating to the methods of taking fur-bearing animals.

Was read the first time and referred to the Committee on Natural Resources.

The Committee on Natural Resources introduced:

Senate Bill No. 133. A Bill for an Act to amend and reenact subsection 7 of section 20-0312 and subsection 2 of section 20-0302 of the North Dakota Revised Code of 1943, relating to the fee for a resident fishing license, requirements for license; and declaring an emergency.

Was read the first time and referred to the Committee on Natural Resources.

Senator Krenz introduced.

Senate Bill No. 134. A Bill for an Act authorizing a county levy of not to exceed one mill for county agent work; amending and reenacting sections 4-0802 and 4-0804 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Political Subdivisions.

Senator Rue (By request) introduced:

Senate Bill No. 135. A Bill for an Act to repeal subsection 11 of section 58-0307 of the North Dakota Revised Code of 1943, relating to powers of electors of townships to fix per diem rate for work on highways in payment of road taxes.

Was read the first time and referred to the committee on Political Subdivisions.

Senator Rue (By request) introduced:

Senate Bill No. 136. A Bill for an Act to repeal section 24-0632 of the North Dakota Revised Code of 1943, relating to refusal of road overseer to serve.

Was read the first time and referred to the Committee on Political Subdivisions.

Senator Rue (By request) introduced:

Senate Bill No. 137. A Bill for an Act relating to compensation of township officers.

Was read the first time and referred to the Committee on Political Subdivisions.

Senators Shure, Rue and Bridston introduced:

Senate Bill No. 138. A Bill for an Act to amend and reenact sections 61-0204 and 61-0207 of the North Dakota Revised Code of 1943, relating to the state water commission.

Was read the first time and referred to the Committee on Industry and Business.

Senators Albers, Spiekermeier, Reinke and Flatt introduced:

Senate Bill No. 139. A Bill for an Act to amend and reenact section 5-0113 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to sale of alcoholic beverages.

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

Senators Olson of Mountrail and Solberg introduced.

Senate Bill No. 140. A Bill for an Act to provide for the spraying of weeds along township roads and authorizing the expenditure of township funds for that purpose.

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

Senator Day introduced:

Senate Bill No. 141. A Bill for an Act requiring the Board of Administration to purchase a helicopter to be used for mercy calls in the event of illness and other emergencies, providing regulations for the use of the same, making an appropriation therefor, and declaring an emergency.

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

The Committee on Appropriations introduced:

Senate Bill No. 142. A Bill for an Act making an appropriation for the deficiency in salary of an elected state official of the State of North Dakota for the last six months of the biennium ending June 30, 1949, and declaring an emergency.

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

Senators Sandness, Blume, Feton and Welander introduced:

Senate Bill No. 143. A Bill for an Act amending and reenacting section 4-1815 of the North Dakota Revised Code of 1943, relating to grades of cream and butterfat and providing for the addition of a harmless vegetable color to all "unlawful cream" offered for sale to persons, firms or corporations authorized to purchase cream or butterfat.

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

Senators Morgan and Feton introduced:

Senate Bill No. 144. A Bill for an Act to amend and reenact sections 25-0205 of the 1947 Supplement to the North

Dakota Revised Code of 1943 and 25-0403 of the North Dakota Revised Code of 1943, relating to superintendents, assistant superintendents and physicians of certain state institutions.

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

Senators Streibel and Nelson of McKenzie introduced:

Senate Concurrent Resolution "H." A concurrent resolution providing for an amendment to the Constitution of the state of North Dakota.

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

Senators Stucke and Albers introduced:

Senate Concurrent Resolution "I". A concurrent resolution memorializing Congress to enact legislation providing for the maintenance of the government of the Garrison Dam area.

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

Senators Albers, Troxel, Leno and Krenz introduced:

Senate Concurrent Resolution "J." A concurrent resolution providing for an amendment to the constitution of the state of North Dakota.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2

Was read the second time.

Senator Morgan moved that the rules be suspended and that the requirement that Senate Bill No. 2 be re-referred to the Committee on Appropriation 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Krenz	Schrock
Bilden	Leno	Schoeder
Bjorlie	Lichty	Shure
Blume	Lynch	Solberg
Brant	Mehlhoff	Spiekermeier
Braun	Morgan	Strand
Bridston	Nordhougen	Streibel
Brunsdale	O'Brien	Stucke
Coghlan	Olson, Barnes	Torno
Day	Olson, Mountrail	Troxel
Feton	Page	Tuff
Flatt	Pyle	Wahlund
Foss	Reinke	Welander

Fraser	Rue	Wolf
Freed	Sandness	Work
Kamrath		

Absent and not voting:

Duffy	Nelson, McKenzie	Nelson, Griggs-Steele
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 36

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Krenz	Schoeder
Bilden	Lichty	Shure
Blume	Lynch	Spiekermeier
Braun	Mehlhoff	Strand
Bridston	Morgan	Streibel
Brunsdale	O'Brien	Torno
Coghlan	Olson, Barnes	Troxel
Day	Page	Tuff
Feton	Pyle	Wahlund
Flatt	Reinke	Welander
Foss	Rue	Wolf
Freed	Sandness	Work
Kamrath	Schrock	

Those voting in the negative were:

Bjorlie	Leno	Solberg
Fraser	Olson, Mountrail	Stucke

Absent and not voting:

Brant	Nelson, Griggs-Steele	Nordhougen
Duffy		
Nelson, McKenzie		

So the bill passed and the title was agreed to.

Senate Bill No. 49

Was read the second time.

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

ROLL CALL

Those voting in the affirmative were:

Albers	Krenz	Schrock
Bilden	Leno	Schoeder
Bjorlie	Lichty	Shure
Blume	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	O'Brien	Stucke

Absent and not voting:

Day	Olson, Mountrail	Torno
Feton	Olson, Barnes	Troxel
Flatt	Page	Tuff
Foss	Pyle	Wahlund
Fraser	Reinke	Welander
Freed	Rue	Wolf
Kamrath	Sandness	Work
Brant	Nelson, Griggs-	Nordhougen
Duffy	Steele	

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

Senate Bill No. 53

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were: ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Leno	Schoeder
Bjorlie	Lichty	Shure
Blume	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	O'Brien	Stucke
Feton	Olson, Mountrail	Torno
Flatt	Olson, Barnes	Troxel
Foss	Page	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Wolf
Krenz	Schrock	Work

Absent and not voting:

Albers	Duffy	Nordhougen
Brant	Nelson, Griggs-	Sandness
Brunsdale	Steele	

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 7

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Lichty	Schoeder
Bjorlie	Lynch	Shure
Blume	Leno	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand

Coghlan	Nelson, McKenzie	Streibel
Day	O'Brien	Stucke
Feton	Olson, Mountrail	Torno
Flatt	Olson, Barnes	Troxel
Foss	Page	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Wolf
Krenz	Schrock	Work

Absent and not voting:

Albers	Duffy	Nordhougen
Brant	Nelson, Griggs-	Sandness
Brunsdale	Steele	

So the bill passed and the title was agreed to.

House Bill No. 47

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 41; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Lynch	Shure
Bjorlie	Mehlhoff	Solberg
Blume	Morgan	Spiekermeier
Brant	Nelson, McKenzie	Strand
Braun	Nordhougen	Streibel
Bridston	O'Brien	Stucke
Coghlan	Olson, Mountrail	Torno
Feton	Olson, Barnes	Troxel
Foss	Page	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Wolf
Krenz	Schrock	Work
Leno	Schoeder	

Those voting in the negative were:

Albers	Flatt	Lichty
Day		

Absent and not voting:

Brunsdale	Nelson, Griggs-	Sandness
Duffy	Steele	

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Resolution No. 2

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

Senator Day moved that the Special Committee on Printing be advised that it is the sense of the Senate that unless more satisfactory arrangements can be made with the present contractor, that the contract be immediately cancelled and other more satisfactory arrangements made, and that the Committee have power to act for the Senate, which motion prevailed.

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

Senator Rue moved that the Senate do now recess until 1:45 P. M., January 26, 1949, which motion prevailed.

W. J. TROUT, Secretary.

TWENTY-SECOND DAY AFTER RECESS AND
TWENTY-THIRD DAY

Bismarck, January 26, 1949

The Senate convened at 1:45 P. M., pursuant to recess taken, the President presiding.

A Message was received from the House stating that the House was ready to receive the Senate in a joint session to hear an address by Bernie Bierman, Football Coach at the University of Minnesota.

Senator Rue moved that the Senate do now recess for the purpose of attending the joint session to hear an address by Bernie Bierman, Football Coach at the University of Minnesota.

The Senate re-convened pursuant to recess taken, the President presiding.

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

W. J. TROUT, Secretary.

TWENTY-THIRD DAY

Bismarck, January 26, 1949

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

Prayer by the Chaplain, Rev. Edward Kary of Bismarck.

Roll Call: All Senators present except Senators Brunsdale, Nelson of Griggs-Steele, and Streibel.

A quorum was declared present by the President.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-second day and recommends that the same be corrected as follows:

Page 157, line 26, correct the spelling of the word "assistants;" line 27, add an "s" to the word "word."

Page 161, line 18, correct the spelling of the word "Concurrent."

Page 162, line 6, correct the spelling of the word "emer-

gency;" line 29, correct spelling of the word "emergency;" strike out line 52 and insert in lieu thereof "Political Subdivisions."; line 36, correct spelling of word "Dakota."

Page 164, line 15, Strike out the letter "J" and insert in lieu thereof the letter "I."

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

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

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 26, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2

Senate Bill No. 36

Senate Bill No. 49

Senate Bill No. 53

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, January 26, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 7

House Bill No. 47

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 26, 1949

Mr. President: I have the honor to transmit:

House Bill No. 11

House Bill No. 14

House Bill No. 20

House Bill No. 23

House Bill No. 26

House Bill No. 31

House Bill No. 40

House Bill No. 50

House Bill No. 90

House Bill No. 95

House Bill No. 120

House C. R. No. "C"

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

GEORGE OLSON, Chief Clerk.

Senator Mehlhaff moved that the Resolution from the Barry-Hoof Post Number 72, The American Legion, Napoleon, North Dakota, be printed in the Journal, which motion prevailed.

The following Resolution was passed unanimously at the January twentieth meeting of the Barry-Hoof Post Number 72, The American Legion, Napoleon, North Dakota.

Be it hereby resolved that the following is the unanimous consensus of opinion of this POST.

That the Legislature of the State of North Dakota in determining a basis of payment of the proposed bonus for Servicemen and women who served prior to, during and after the cessation of hostilities in World War II take into account and give credit for service after VJ DAY by those who were in the Armed Services prior to VJ DAY. That the overwhelming percentage of Servicemen and women were not discharged or released to inactive service for various periods of time after VJ DAY and that such service was of great importance and vital to the welfare of our country. That it is only fair, honest, just and reasonable that full credit be given for said Post-War Service in calculating the length of service time for which the individual serviceman or woman is to receive credit in ascertaining the length of his or her service in the Armed Forces for the calculation of the amount of bonus such person may receive.

BARRY-HOOF POST NO. 72
THE AMERICAN LEGION
Napoleon, North Dakota.

Senator Troxel presented a petition signed by 19 persons from McKenzie County requesting favorable consideration of Senate Bill No. 29.

This petition was referred to the Committee on Agriculture.

Senator Reinke presented a petition signed by 161 resident Hunters of the State of North Dakota, requesting that the State of North Dakota bar non-resident hunters for a period of two years.

This petition was referred to the Committee on Natural Resources.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 1

Senate Resolution No. 2

Senate Concurrent Resolution "C"

Were delivered to the Secy. of State at the hour of 1:40 p. m. o'clock, 1-26-49.

EMIL TORNO, Chairman.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 7 have had the same

under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 18 have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 33 have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on Labor Relations to whom was referred Senate Bill No. 98 have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 102 have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 109 have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 2—from line 18 to line 35 inclusive.

Renumber Section 3 to read Section 2.

And when so amended recommend the same do pass.

W. J. BRAUN, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 117 have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 86 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Fetton moved that the amendments to Senate Bill

No. 12, be adopted, which motion prevailed.

Senator Feton moved that the amendments to Senate Bill No. 20, be adopted, which motion prevailed.

Senator Rue moved that the amendments to Senate Bill No. 31, be adopted, which motion prevailed.

Senator Braun moved that the amendments to Senate Bill No. 45 be adopted, which motion prevailed.

Senator Day moved that the amendments to House Bill No. 30, be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Troxel and Schrock introduced:

Senate Bill No. 145. A Bill for an Act to amend and reenact subsection 3 of section 57-1517 of the North Dakota Revised Code of 1943, relating to disposition of school building fund.

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

Senators Day, Schrock and Troxel introduced:

Senate Bill No. 146. A Bill for an Act to amend and reenact section 27-1602 of the North Dakota Revised Code of 1943, relating to juvenile commissioners.

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

The Committee on Judiciary introduced:

Senate Bill No. 147. A Bill for an Act to Authorize the State Board of Higher Education to Issue Tax Exempt Bonds and Construct Revenue Producing Buildings at Institutions of Higher Learning, under the provisions of Chapter 15-55 of the 1947 Supplement to the North Dakota Revised Code of 1943.

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

Senators Olson of Barnes, Stucke, Welander and Mehlhaff introduced:

Senate Bill No. 148. A Bill for an Act to amend and reenact section 39-0801 of the North Dakota Revised Code of 1943, providing for punishment of any person driving a motor vehicle while under the influence of intoxicating liquor or narcotic drugs, establishing presumptions for the determination of what constitutes being under the influence of liquor.

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

Senator Troxel introduced:

Senate Bill No. 149. A Bill for an Act relating to seeding highway ditches and banks to grass.

Was read the first time and referred to the Committee on Political Subdivisions.

Senator Shure introduced:

Senate Bill No. 150. A Bill for an Act validating sales of real estate on execution and foreclosure of a mortgage, and declaring an emergency.

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

The Committee on Appropriations introduced:

Senate Bill No. 151. A Bill for an Act making an appropriation for a deficiency in travel and miscellaneous of the

Teachers' Insurance and Retirement Fund budget; and declaring an emergency.

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

Senators Freed, Mehlhaff and Strand introduced:

Senate Bill No. 152. A Bill for an Act to provide the standards of time for the state of North Dakota.

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

Senators Brant and Mehlhaff introduced:

Senate Bill No. 153. A Bill for an Act to Amend, Supplement and Reenact Section 57-0501 North Dakota Revised Code of 1943, and also Chapter 57-05 Thereof; Providing for Assessment of Railroad Property by State Board of Equalization; Providing for Tentative Valuation by Tax Commissioner, and Providing For Notice of Hearing Thereon to Railroad Companies; Providing for Assessment by State Board of Equalization and the Giving of Notice of Increase to Railroad Companies Affected, with Opportunity for Hearing Thereon; Providing for Equalization of Assessments of the Property of Railroad Companies, and Making Sections 57-0612, 57-0615 and 57-0616 North Dakota Revised Code of 1943 Applicable to Chapter 57-05 thereof.

Was read the first time and referred to the Committee on Finance and Taxation.

Senators Schrock, O'Brien and Pyle introduced:

Senate Bill No. 154. A Bill for an Act to amend and reenact sections 29-0601 and 39-0607 of the North Dakota Revised Code of 1943; defining chauffeurs and providing for the licensing of chauffeurs and the classification of and eligibility for a chauffeur's license in lieu of an operator's license.

Was read the first time and referred to the Committee on Industry and Business.

Senators Leno, Shure and Solberg introduced:

Senate Bill No. 155. A Bill for an Act restricting public officers and employees from using their office to benefit themselves financially, and providing a penalty for violation thereof.

Was read the first time and referred to the Committee on Industry and Business.

The Committee on Social Welfare introduced:

Senate Bill No. 156. A Bill for an Act to amend and reenact Section 50-0604 of the North Dakota Revised Code of 1943 pertaining to compensation for members of the Public Welfare Board of North Dakota.

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

Senator Nelson of McKenzie introduced.

Senate Bill No. 157. A Bill for an Act appropriating the sum of \$500,000 out of any monies in the State Treasury not otherwise appropriated, or so much thereof as may be necessary to match federal funds of like amount now available or hereafter to become available for a bridge to be constructed across the Yellowstone River in McKenzie County, North Dakota, on Highway No. 23; authorizing and directing the state highway commissioner and his officers and engineers to prepare plans and specifications for such bridge and to proceed with the construction thereof as soon as con-

venient; and declaring an emergency.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 3

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Barnes	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work

Kamrath

Absent and not voting:

Brunsdale	Nelson, Griggs-Steele	Streibel
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So the bill passed and the title was agreed to.
Senate Bill No. 10

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Solberg
Brant	Mehlhoff	Spiekermeier
Braun	Morgan	Strand
Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work

Kamrath

Those voting in the negative were:

Olson, Mountrail

Absent and not voting:

Bridston	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel

So the bill passed and the title was agreed to.

Senate Bill No. 11

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes: 38; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Krenz	Schrock
Bjorlie	Leno	Solberg
Blume	Lichty	Spiekermeier
Braun	Lynch	Strand
Coghlan	Mehlhoff	Stucke
Day	Morgan	Torno
Duffy	Nelson, McKenzie	Tuff
Feton	O'Brien	Wahlund
Flatt	Olson, Barnes	Welander
Foss	Pyle	Wolf
Fraser	Reinke	Work
Freed	Rue	

Those voting in the negative were:

Nordhougen	Olson, Mountrail	Schoeder
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Absent and not voting:

Brant	Nelson, Griggs-	Shure
Bridston	Steele	Streibel
Brunsdale	Page	Troxel

So the bill passed and the title was agreed to.

Senate Bill No. 13

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Braun	Lynch	Solberg
Bridston	Mehlhoff	Spiekermeier
Coghlan	Morgan	Strand
Day	Nelson, McKenzie	Stucke
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Those voting in the negative were:

Albers	Olson, Mountrail
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Absent and not voting:

Brant	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel

So the bill passed and the title was agreed to.

Senate Bill No. 16

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Strand
Day	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Krenz

Those voting in the negative were:

Albers

Absent and not voting:

Brant	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel

So the bill passed and the title was agreed to.

Senate Bill No. 19

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand
Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Those voting in the negative were:

Flatt Olson, Mountrail

Absent and not voting:

Brant	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel

So the bill passed and the title was agreed to.

Senate Bill No. 22

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 34; nays, 10; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Krenz	Page
Bilden	Leno	Pyle
Bjorlie	Lichty	Reinke
Blume	Lynch	Rue
Braun	Mehlhoff	Schoeder
Bridston	Morgan	Strand
Coghlan	Nelson, McKenzie	Stucke
Duffy	Nordhougen	Torno
Feton	O'Brien	Welander
Foss	Olson, Mountrail	Wolf
Freed	Olson, Barnes	Work
Kamrath		

Those voting in the negative were:

Day	Schrock	Tuff
Flatt	Solberg	Wahlund
Fraser	Spiekermeier	
Sandness	Troxel	

Absent and not voting:

Brant	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel

Senate Bill No. 23

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Solberg
Braun	Lynch	Spiekermeier
Bridston	Mehlhoff	Strand
Coghlan	Morgan	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work

Those voting in the negative were:

Nelson, McKenzie	Olson, Mountrail
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Absent and not voting:

Brant	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel

So the bill passed and the title was agreed to.

Senate Bill No. 27

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 34; nays, 6; absent and not voting, 9.

Those voting in the affirmative were:

Bjorlie	Lichty	Sandness
Blume	Lynch	Schrock
Braun	Mehlhoff	Spiekemeier
Bridston	Morgan	Strand
Coghlan	Nelson, McKenzie	Torno
Duffy	Nordhougen	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Those voting in the negative were:

Fraser	Olson, Mountrail	Solberg
O'Brien	Schoeder	Stucke

Absent and not voting:

Albers	Brunsdale	Nelson, Griggs-
Bilden	Day	Steele
Brant	Leno	Shure
		Streibel

So the bill passed and the title was agreed to.

Senate Bill No. 30

Was read the second time.

Senator Foss moved that Senate Bill No. 30 be indefinitely postponed, which motion was lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 32; nays, 13; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Lichty	Solberg
Bilden	Lynch	Spiekemeier
Bjorlie	Morgan	Strand
Blume	Nelson, McKenzie	Torno
Day	Nordhougen	Troxel
Duffy	O'Brien	Tuff
Flatt	Olson, Mountrail	Wahlund
Fraser	Page	Welander
Kamrath	Pyle	Wolf
Krenz	Sandness	Work
Leno	Schoeder	

Those voting in the negative were:

Brant	Foss	Reinke
Braun	Freed	Rue
Bridston	Mehlhoff	Schrock
Coghlan	Olson, Barnes	Stucke
Feton		

Absent and not voting:

Brunsdale	Nelson, Griggs-	Shure
	Steele	Streibel

So the bill passed and the title was agreed to.

Senate Bill No. 44

Was read the second time.

. ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 35; nays, 8; absent and not voting, 6.

Those voting in the affirmative were:

Bjorlie	Freed	Reinke
Blume	Kamrath	Rue
Brant	Krenz	Sandness
Braun	Leno	Schoeder
Bridston	Lichty	Spiekermeier
Coghlan	Mehlhoff	Strand
Day	Morgan	Torno
Duffy	Nelson, McKenzie	Wahlund
Feton	Nordhougen	Welander
Flatt	Olson, Barnes	Wolf
Foss	Page	Work
Fraser	Pyle	

Those voting in the negative were:

Albers	Schrock	Troxel
Bilden	Solberg	Tuff
Olson, Mountrail	Stucke	
Absent and not voting:		
Brunsdale	Nelson, Griggs-	O'Brien
Lynch	Steele	Shure
		Streibel

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

Senate Bill No. 85

Was read the second time.

Senator Bridston moved that Senate Bill No. 85 be re-referred to the Committee on Finance and Taxation, which motion was lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 28; nays, 17; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Nelson, McKenzie	Schoeder
Bilden	Nordhougen	Solberg
Bjorlie	O'Brien	Spiekermeier
Blume	Olson, Mountrail	Stucke
Day	Olson, Barnes	Troxel
Flatt	Page	Tuff
Fraser	Reinke	Wahlund
Leno	Sandness	Welander
Lichty	Schrock	Wolf
Lynch		

Those voting in the negative were:

Brant	Foss	Pyle
Braun	Morgan	Rue
Bridston	Freed	Strand
Coghlan	Kamrath	Torno
Duffy	Krenz	Work
Feton	Mehlhoff	

Absent and not voting:

Brunsdale	Nelson, Griggs- Steele	Shure Streibel
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So the bill was lost due to lack of a two-thirds majority.

Senate Bill No. 100

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand
Coghlan	Nelson, McKenzie	Torno
Day	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Flatt	Page	Welander
Foss	Pyle	Wolf
Fraser	Reinke	Work
Freed		

Absent and not voting:

Brunsdale	Nordhougen	Stucke
Nelson, Griggs- Steele	Shure Streibel	

So the bill passed and the title was agreed to.

Senate Bill No. 103

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Blume	Leno	Sandness
Brant	Lichty	Schrock
Braun	Lynch	Schoeder
Bridston	Mehlhoff	Solberg
Coghlan	Morgan	Spiekermeier
Day	Nelson, McKenzie	Strand
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work

Those voting in the negative were:

Albers	Bjorlie
--------	---------

Absent and not voting:

Brunsdale	Shure	Stucke
Nelson, Griggs- Steele	Streibel	

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

Senator Day moved that further action on Senate Concurrent Resolution "G" be postponed one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Concurrent Resolution "A"
Was read the second time.

Senator Page moved that House Concurrent Resolution "A" be amended as follows: On line 24, after the word "crops" insert the following language: "without the use of acreage, production or marketing limitations," which motion was lost.

ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were: ayes, 40; nays, 3; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhaff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Coghlan	Nordhousen	Torno
Day	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Krenz

Those voting in the negative were:

Duffy	Flatt	Pyle
-------	-------	------

Absent and not voting:

Albers	Nelson, Griggs-	Shure
Brunsdale	Steele	Streibel
		Stucke

So the Resolution passed and the title was agreed to.

Senator Brant moved that the Senate do now recess until 1:45 P. M., January 27, 1949, which motion prevailed.

W. J. TROUT, Secretary.

TWENTY-THIRD DAY AFTER RECESS AND
TWENTY-FOURTH DAY

Bismarck, January 27, 1949

The Senate-convened at 1:45 P. M. pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, January 27, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 3
Senate Bill No. 10
Senate Bill No. 11
Senate Bill No. 13
Senate Bill No. 16
Senate Bill No. 19
Senate Bill No. 22
Senate Bill No. 23
Senate Bill No. 27
Senate Bill No. 30
Senate Bill No. 44
Senate Bill No. 85
Senate Bill No. 100
Senate Bill No. 103

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

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, January 27, 1949

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. "A"

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, January 27, 1949

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. "G"

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

GEORGE OLSON, Chief Clerk

FIRST READING OF HOUSE BILLS

House Bill No. 11. A Bill for an Act to amend and reenact section 40-2201 of the 1947 Supplement to the North Dakota Revised Code of 1943 and sections 40-2208 and 40-2209 of the North Dakota Revised Code of 1943, relating to defraying expense of improvements by special assessments, creation of improvement districts, size and form thereof, and regulations governing the same.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 12. A Bill for an Act defining residential property, block of pavement, residential block, and residential paving project, providing for the establishment of standard width of paving, permitting cities to pay cost of excess width of paving providing for protests to bar improvements, providing the special assessment procedure to be followed.

Was read the first time and referred to the Committee on Political Subdivision.

House Bill No. 13. A Bill for an Act to amend and reenact subsection 2 of section 21-0306 of the 1947 Supplement to the North Dakota Revised Code of 1943 and subsection 3 of section 21-0306 of the North Dakota Revised Code of 1943, relating to purposes and specific limitations of bond issues in cities and villages.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 14. A Bill for an Act to amend and reenact section 40-3502 of the North Dakota Revised Code of 1943, relating to purposes for which municipalities may issue revenue bonds.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 20. A Bill for an Act to amend and reenact section 57-5005 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to refund of motor vehicle taxes.

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

House Bill No. 21. A Bill for an Act to amend and reenact section 57-3204 of the North Dakota Revised Code of 1943, relating to allocation of taxes imposed upon car line, express and air transportation companies.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 22. A Bill for an Act to amend and reenact sections 40-4003, 40-4005, 40-4021, 40-1604 and 57-1527 of the North Dakota Revised Code of 1943, and to establish the period from January first through December thirty-first as the fiscal year for municipalities; to permit a levy of not to exceed one hundred fifty percent of that permitted by section 57-1508 of the North Dakota Revised Code of 1943 as amended for eighteen month period commencing July 1, 1949

and ending December 31, 1950; to provide for the matters shown in the preliminary budget statement of municipalities; to eliminate the interim fund for municipalities.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 23. A Bill for an Act to amend and reenact sections 40-4005, 40-4008 and 40-4021 of the North Dakota Revised Code of 1943, relating to municipal budgets.

Was read the first time and referred to the Committee on Political Subdivision.

House Bill No. 26. A Bill for an Act to amend and reenact sections 6-0351, 6-0352, 6-0353, 6-0354, 6-0356, 6-0357 and 6-0358 of the North Dakota Revised Code of 1943, relating to borrowing, rediscounting and pledging of assets by state banking association; providing for foreclosures and prescribing penalties.

Was read the first time and referred to the Committee on Industry and Business.

House Bill No. 31. A Bill for an Act to amend and reenact section 52-0406 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to rate of contributions made by employers to unemployment compensation fund.

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

House Bill No. 40. A Bill for an Act to amend and reenact section 39-1105 of the North Dakota Revised Code of 1943, relating to rear lamps, reflectors, and reflecting material on vehicles.

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

House Bill No. 50. A Bill for an Act to amend and reenact section 39-1106 of the North Dakota Revised Code of 1943, relating to the clearance lamps required on certain motor vehicles.

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

House Bill No. 90. A Bill for an Act to amend and reenact Section 26-2211, of the North Dakota Revised Code of 1943, providing for crops insurable; and date when coverage on insured crops commences and terminates.

Was read the first time and referred to the Committee on Industry and Business.

House Bill No. 95. A Bill for an Act creating subsection 68 of section 40-0501 of the North Dakota Revised Code of 1943, relating to powers of municipalities and authorizing municipal governing bodies to acquire, construct, maintain, operate, control, and finance flood control projects, both within and adjacent to such municipalities, acquire the necessary real estate and easements therefor by purchase and eminent domain, and to adopt ordinances regulating the same.

Was read the first time and referred to the Committee on Political Subdivision.

House Bill No. 98. A Bill for an Act to amend and reenact section 37-1507 of the North Dakota Revised Code of 1943, relating to commandant of the soldiers' home.

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

House Bill No. 120. A Bill for an Act amending and reenacting Section 15-3404 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to transportation payments in common school districts.

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

House Concurrent Resolution "C." A concurrent resolution memorializing the Congress of the United States to increase the share of federal participation and increase the annual appropriation under Public Law 725.

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

Senator Brant moved that Senate Bill No. 153, be withdrawn and not printed, which motion prevailed.

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

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

W. J. TROUT, Secretary.

TWENTY-FOURTH DAY

Bismarck, January 27, 1949

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

Prayer by the Chaplain, Rev. Edwin N. Oster, of Bismarck.

Roll Call: All Senators present except Senators Brunsdale and Pyle.

A quorum was declared present by the President.

Senator Leno moved that the report of the Committee on Correction and Revision of the Journal be moved to the bottom of the calendar as the Journal had not been delivered in time and it was impossible to have a report at this time, which motion prevailed.

REPORT OF STANDING COMMITTEES

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

Senate Bill No. 12

Senate Bill No. 20

Senate Bill No. 31

Senate Bill No. 45

and find the same correctly Engrossed.

EMIL TORNO, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 106 have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 115 have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill strike out the words "county superintendent of schools."

Section 1, Line 3—strike out the words "county superintendent of schools."

And when so amended recommend the same do pass.

G. I. FETON, Chairman.

Senator Wahlund moved that Senate Bill No. 115 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 116 have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 140 have had the same under consideration and recommend that the same do pass.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "B" have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Braun moved that the amendments to Senate Bill No. 109 be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 27, 1949

Mr. President: I have the honor to transmit:

House Bill No. 1
 House Bill No. 10
 House Bill No. 32
 House Bill No. 37
 House Bill No. 51
 House Bill No. 124

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

GEORGE OLSON, Chief Clerk

House Chamber

Bismarck, January 27, 1949

Mr. President: I have the honor to transmit:

House Bill No. 7

House Bill No. 47

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk

House Chamber

Bismarck, January 27, 1949

Mr. President: I have the honor to transmit:

House Bill No. 87

House Bill No. 88

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk

FIRST READING OF SENATE BILLS

Senator Troxel introduced:

Senate Bill No. 158. A Bill for an Act authorizing attachment of communication wires to structures supporting electric supply lines, providing for nonliability for injury or damage resulting from attachment of communication wires to structures supporting electric supply lines, and providing compensation for such attachments.

Was read the first time and referred to the Committee on Industry and Business.

Senators Shure and Rue introduced:

Senators Stucke, Nordhousen, Duffy, Kamrath, Coghlan, Nelson of McKenzie, Rue and Albers introduced:

Was read the first time and referred to the Committee on Industry and Business.

Sufficient funds or credits.
of 1943, relating to issuing checks, drafts or order without reenact section 6-0816 of the North Dakota Revised Code

Senate Bill No. 160. A Bill for an Act to amend and

Senators Shure and Duffy introduced:

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

Senate Bill No. 159. A Bill for an Act providing for inspection of vehicles by the state highway patrol or the police department of certain cities; prohibiting the operation of unsafe vehicles and providing penalties.

Senate Bill No. 161. A Bill for an Act declaring the assistance needs of Indians on Indian Reservations to be the duty of the State at large; making an emergency appropriation for the period from January 1, to June 30, 1949, out of moneys in the retail sales tax fund created by Chapter 344, Laws of 1947, to provide for the assistance of destitute and necessitous Indians on Indian reservations; providing for the distribution of this appropriation by the Public Welfare Board of North Dakota to counties in which there are Indian reservations; and declaring an emergency.

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

Senators Nordhougen and Duffy introduced:

Senate Bill No. 162. A Bill for an Act to amend and reenact section 27-0905 of the North Dakota Revised Code of 1943, relating to fees and mileage of jurors.

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

Senator Rue introduced:

Senate Bill No. 163. A bill for an Act to Amend and Reenact Section 24-1202 of North Dakota Revised Code of 1943, Relating to Warning Signs of Road Construction or improvement in contracts by State Highway Department, County or Township for Construction or Improvement of any Road, Culvert or Bridge.

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

Senators Rue, Brant and Nordhougen introduced:

Senate Bill No. 164. A Bill for an Act to amend and reenact Section 15-4910 of the North Dakota Revised Code of 1943, relating to solicitation and sales in schools; prohibited, **except as herein provided**; penalty.

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

Senators Brant, Blume and Nelson of McKenzie introduced:

Senate Bill No. 165. A Bill for an Act to amend and reenact Section 36-0101 of the North Dakota Revised Code of 1943 relating to the State Livestock Sanitary Board; Providing for the membership thereon and the manner in which appointed; Providing for the terms and qualifications of the members thereof and providing for the expiration of terms of office of members of said Board existing prior to the effective date of establishment of the Board provided for in this act.

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

Senators Olson of Mountrail, Reinke, Wahlund and Albers introduced:

Senate Bill No. 166. A Bill for an Act to repeal chapter 43-18 of the North Dakota Revised Code of 1943, relating plumbers.

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

Senator Duffy introduced:

Senate Bill No. 167. A Bill for an Act to Amend and Reenact Sections 49-0914 and 49-0915 of North Dakota Revised Code of 1943 Relating to Public Utility General Property Transfers and the Recording Thereof and Conveyance by Public Utilities of Property Other than Right-of-way and Recording Thereof.

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

FIRST READING OF HOUSE BILL

House Concurrent Resolution "G". A concurrent resolution providing and designating House and Senate employees and naming and fixing their salary.

Was read the first time. Senator Streibel moved that House Concurrent Resolution "G" be returned to the House for correction, which motion prevailed.

MESSAGE TO THE HOUSE

Bismarck, January 27, 1949
Senate Chamber

Mr. Speaker: I have the honor to return House Concurrent Resolution "G" for correction and engrossment and clarifying of journal.

Very respectfully,
W. J. TROUT, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 7

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Blunte	Lynch	Solberg
Brant	Mehlhoff	Spiekermeier
Braun	Morgan	Strand
Bridston	Nelson, McKenzie	Streibel
Day	Nordhogen	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Mountrail	Troxel
Fraser	Page	Tuff
Freed	Reinke	Vahlund
Kamrath	Rue	Welanders
Krenz	Sandness	Wolf

Absent and not voting:

Bjorlie	Duffy	Olson, Barnes
Brunsdale	Foss	Pyle
Coghlan	Nelson, Griggs- Steele	Shure
		Work

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

Senate Bill No. 12

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, 39; nays, 0; absent and not voting, 10.

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Blume	Lynch	Solberg
Brant	Mehlhoff	Spiekermeier
Braun	Morgan	Strand
Bridston	Nelson, McKenzie	Streibel
Day	Nordhogen	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Mountrail	Troxel
Fraser	Page	Tuff
Freed	Reinke	Wahlund
Kamrath	Rue	Welanders
Krenz	Sandness	Wolf

Absent and not voting:

Bjorlie	Duffy	Olson, Barnes
Brunsdale	Foss	Pyle
Coghlan	Nelson, Griggs- Steele	Shure Work

So the bill passed and the title was agreed to.

Senate Bill No. 20

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, 39; nays, 1; absent and not voting, 9.

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Day	Nordhogen	Streibel
Feton	O'Brien	Stucke
Flatt	Olson, Mountrail	Torno
Fraser	Page	Troxel
Freed	Reinke	Tuff
Kamrath	Rue	Wahlund
Krenz	Sandness	Welanders
Leno	Schrock	Wolf

Those voting in the negative were:

Albers

Absent and not voting:

Bjorlie	Duffy	Olson, Barnes
Brunsdale	Foss	Pyle
Coghlan	Nelson, Griggs- Steele	Work

So the bill passed and the title was agreed to.

Senate Bill No. 31

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, 36; nays, 2; absent and not voting, 11.

ROLL CALL

Those voting in the affirmative were:

Albers	Krenz	Schrock
Bilden	Lichty	Schoeder
Blunte	Lynch	Shure
Brant	Mehlhoff	Spiekermeier
Braun	Morgan	Strand
Bridston	Nelson, McKenzie	Streibel
Day	O'Brien	Stucke
Feton	Olson, Mountrail	Troxel
Flatt	Page	Tuff
Fraser	Reinke	Wahlund
Freed	Rue	Welander
Kamrath	Sandness	Wolf

Those voting in the negative were:

Solberg Torno

Absent and not voting:

Bjorlie	Foss	Nordhougen
Brunsdale	Leno	Olson, Barnes
Coghlan	Nelson, Griggs-	Pyle
Duffy	Steele	Work

So the bill passed and the title was agreed to.

Senate Bill No. 33

Was read the second time.

Senator Stucke moved that Senate Bill No. 33 be laid over one legislative day, which motion prevailed.

Senate Bill No. 45

Was read the second time.

Senator Albers moved that Senate Bill No. 45 be indefinitely postponed, which motion was lost.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 9; absent and not voting, 6.

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Rue
Brant	Lynch	Sandness
Braun	Mehlhoff	Schrock
Bridston	Morgan	Schoeder
Day	Nelson, Griggs-	Shure
Duffy	Steele	Spiekermeier
Feton	Nordhougen	Strand
Flatt	O'Brien	Streibel
Freed	Olson, Mountrail	Stucke
Kamrath	Olson, Barnes	Torno
Krenz	Page	Welander
Leno	Reinke	

Those voting in the negative were:

Albers	Nelson, McKenzie	Tuff
Blume	Solberg	Wahlund
Fraser	Troxel	Wolf

Absent and not voting:

Bjorlie	Coghlan	Pyle
Brunsdale	Foss	Work

So the bill passed and the title was agreed to.
Senate Bill No. 98.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

ROLL CALL

Those voting in the affirmative were:

Bilden	Lichty	Sandness
Blume	Lynch	Schoeder
Brant	Mehlhoff	Shure
Braun	Morgan	Solberg
Bridston	Nelson, Griggs-	Spiekermeier
Day	Steele	Strand
Duffy	Nelson, McKenzie	Streibel
Feton	Nordhougen	Stucke
Flatt	O'Brien	Torno
Fraser	Olson, Mountrail	Troxel
Freed	Olson, Barnes	Tuff
Kamrath	Page	Wahlund
Krenz	Reinke	Welander
Leno	Rue	Wolf

Absent and not voting:

Albers	Coghlan	Schrock
Bjorlie	Foss	Work
Brunsdale	Pyle	

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

Senate Bill No. 102

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 5.

ROLL CALL

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Streibel
Day	Nelson, Griggs-	Stucke
Duffy	Steele	Torno
Feton	Nelson, McKenzie	Troxel
Flatt	Nordhougen	Tuff
Foss	O'Brien	Wahlund
Fraser	Olson, Mountrail	Welander
Freed	Page	Wolf
Kamrath	Reinke	Work

Those voting in the negative were:

Olson, Barnes Sandness Strand

Absent and not voting:

Bjorlie Coghlan Schrock
Brunsdale Pyle

So the bill passed and the title was agreed to.

Senate Bill No. 117

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Spiekermeier
Braun	Morgan	Strand
Bridston	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Duffy	Nelson, McKenzie	Torno
Feton	Nordhougen	Troxel
Flatt	O'Brien	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Olson, Mountrail	Welander
Freed	Page	Wolf
Kamrath	Reinke	Work
Krenz	Rue	

Those voting in the negative were:

Solberg

Absent and not voting:

Bjorlie Coghlan Schrock
Brunsdale Pyle

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

Senate Concurrent Resolution "G"

Which has been read.

Senator Day moved that Senate Concurrent Resolution "G" be re-referred to the Committee on Judiciary, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 30

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, 42; nays, 0; absent and not voting, 7.

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schoeder
Blunte	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Day	Nelson, Griggs-	Streibel
Duffy	Steele	Torno
Feton	Nordhougen	Troxel
Flatt	O'Brien	Tuff
Foss	Olson, Mountrail	Wahlund
Fraser	Olson, Barnes	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Absent and not voting:

Bjorlie	Page	Schrock
Brunsdale	Pyle	Stucke
Coghlan		

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

House Bill No. 86

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schoeder
Blunte	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Day	Steele	Streibel
Duffy	Nelson, McKenzie	Torno
Feton	Nordhougen	Troxel
Flatt	O'Brien	Tuff
Foss	Olson, Mountrail	Wahlund
Fraser	Olson, Barnes	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Absent and not voting:

Bjorlie	Page	Schrock
Brunsdale	Pyle	Stucke
Coghlan		

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

**JOURNAL OF THE SENATE
MESSAGE FROM THE HOUSE**

House Chamber
Bismarck, January 27, 1949 .

Mr. President: I have the honor to transmit:
House Concurrent Resolution No. "G"
Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

House Concurrent Resolution "G" was read the first time.

Senator Streibel moved that the Senate concur to House Concurrent Resolution "G", which motion prevailed.

Senator Streibel moved that the rules be suspended and that House Concurrent Resolution "G" be placed on second reading and final passage, which motion prevailed.

The question being on the final passage of House Concurrent Resolution "G", the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhaff	Solberg
Braun	Morgan	Spiekermeier
Day	Nelson, Griggs-	Strand
Duffy	Steele	Streibel
Feton	Nelson, McKenzie	Torno
Flatt	Nordhousen	Troxel
Foss	O'Brien	Tuff
Fraser	Olson, Barnes	Wahlund
Freed	Olson, Mountrail	Welander
Kamrath	Reinke	Wolf
Krenz	Sandness	Work

Absent and not voting:

Bjorlie	Coghlan	Rue
Bridston	Page	Stucke
Brunsdale	Pyle	

So the Resolution passed and the title was agreed to.

Mr. President: 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:

Page 169, line 35 insert the word "the" between the words "correct" and "spelling"; Line 37, insert the word "the" between the words "correct" and "spelling".

Page 171, line 54, strike out the word "the" between the words "of" and "State". Strike out "for his approval".

Page 172, line 18, strike out the last two letters "mo-".

Page 174, line 18, correct the spelling of the word "Assessment".

Page 174, line 51, correct the spelling of the word "appropriating".

Page 175, line 55, insert the word "in" between the words "voting" and "the"; also on page 176, line 26 and line 54.

Page 179, and after line 32, insert line 30.

Page 180, line 41, second column remove the name "Feton" and insert in column 1 after the name "Duffy".

Page 181, after line 34, insert line 33.

Page 182, after line 15, insert line 10.

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

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

Senator Leno presented the following resolution:

Whereas, the printing of the Journals have not been done satisfactorily nor in accordance with the printing contract.

Be it Resolved that the Senate Special Printing Committee be given authority to authorize the State Printing Commission to cancel the contract for the printing of the Journal and to enter into a contract with some other party for the printing of the same, and moved its adoption, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 7
House Bill No. 47
House Bill No. 87
House Bill No. 88

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

Senator Brant moved that the Senate do now recess until 1:30 P. M., January 28, 1949, which motion prevailed.

W. J. TROUT, Secretary.

TWENTY-FOURTH DAY AFTER RECESS AND
TWENTY-FIFTH DAY

Bismarck, January 28, 1949

The Senate convened at 1:30 P. M., pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, N. D., Jan. 28th, 1949

Mr. Speaker: I have the honor to request the return of Senate Bill No. 85 which was sent over in error.

Very respectfully,

W. J. TROUT, Secretary

Senate Chamber

Bismarck, January 28, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 7
Senate Bill No. 12
Senate Bill No. 20
Senate Bill No. 31
Senate Bill No. 45
Senate Bill No. 98
Senate Bill No. 102
Senate Bill No. 117

Which the Senate has passed and your favorable consideration is requested

W. J. TROUT, Secretary

Senate Chamber

Bismarck, January 28, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 30
House Bill No. 86
House Concurrent Resolution "G"

Which the Senate has passed unchanged.

W. J. TROUT, Secretary

Senate Chamber

Bismarck, January 28, 1949.

Mr. Speaker: I have the honor to return:

House Bill No. 7
House Bill No. 47
House Bill No. 87
House Bill No. 88

Which the President has signed.

W. J. TROUT, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 28, 1949

Mr. President: I have the honor to return:

Senate Bill No. 83

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

FIRST READING OF SENATE BILLS

Senators Day, Blume, Freed, Shure, Bridston, Foss and Braun introduced:

Senate Bill No. 168. A Bill for an Act granting additional powers to the State Board of Higher Education relative to the issuing of bonds under the provisions of Chapter 154 of the Session Laws of 1947, providing additional sources for the bond payment fund.

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

Senators Rue and Duffy introduced:

Senate Bill No. 169. A Bill for an Act to amend and reenact Section 15-1803, North Dakota Revised Code of 1943, relating to junior colleges in special school districts; providing for tuition in junior colleges; providing for a tax levy for the support of junior colleges.

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

The Committee on Appropriations introduced:

Senate Bill No. 170. A Bill for an Act to amend and reenact section 54-27092 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to appropriations for buildings, additions to buildings and permanent improvements for state charitable, penal and educational institutions.

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

Senators Day, Duffy and Nordhogen introduced:

Senate Bill No. 171. A Bill for an Act to amend and reenact section 33-1234 of the North Dakota Revised Code of 1943, relating to appeal from justice court judgment by state and defendant; time; how taken; notice; and bail.

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

Senators Rue, Shure and Braun introduced:

Senate Bill No. 172. A Bill for an Act to amend Chapter 23-11 of the North Dakota Revised Code of 1943 relating to the creation of housing authorities, known as the Housing Authorities Law, so as to provide for the creation of regional housing authorities as public bodies corporate and politic and delegating to them certain powers and functions, to define the area of operation of such

regional housing authorities and to provide for increasing the area of operation of such authorities, to provide for the appointment of commissioners of regional housing authorities and defining their duties, powers and tenure, to authorize county and regional housing authorities to engage in rural housing, and to authorize housing authorities to enter into certain agreements to secure Federal contributions.

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

Senators Rue, Shure and Braun introduced:

Senate Bill No. 173. A Bill for an Act to authorize cities, towns, villages, counties, and other public bodies and subdivisions to aid housing projects of housing authorities by conveying or dedicating property, by furnishing parks, playgrounds, streets, roads, water, sewer and drainage facilities and other improvements and facilities, by exercising certain other powers and by making agreements relating to such aid; to authorize cities, towns, villages, counties and other public bodies and subdivisions to purchase bonds of housing authorities, to make agreements respecting the exercise of their powers relating to the remedying or elimination of unfit buildings and to make agreements relating to payments by housing authorities; and to authorize counties and cities and other public bodies included in the area of operation of a housing authority to lend or donate money to such authority.

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

Senators Rue, Shure and Braun introduced:

Senate Bill No. 174. A Bill for an Act to authorize housing authorities to clear blighted areas and prevent blight; to acquire real property and make it available for redevelopment by private enterprise or by public agencies in accordance with approved redevelopment plans; and to confer necessary powers on housing authorities; cities and other public bodies, and to make obligations issued by housing authorities in connection with redevelopment projects legal investments and security for deposits; and to authorize the creation of an Advisory Board to housing authorities composed of representatives of business, real estate, home financing and other interests.

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

Senators Rue, Shure and Braun introduced:

Senate Bill No. 175. A Bill for an Act to provide that bonds and other obligations issued by any public housing authority or agency, when secured by a pledge of annual contributions to be paid by the United States Government, shall be security for all public deposits and negotiable, and legal investments for the State and public officers, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, investment companies, all insurance companies, insurance associations and other persons car-

rying on banking or insurance business, and all executors, administrators, guardians, trustees, and other fiduciaries.

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

Senators Sandness, Reinke, Fraser and Bjorlie introduced:

Senate Bill No. 176. A Bill for an Act making an appropriation to the experiment station of the North Dakota agricultural college for research and experimentation for control of weeds, insects, plant disease and crop treatment.

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

The Committee on Social Welfare introduced:

Senate Bill No. 177. A Bill for an Act prohibiting the playing of and use of live music in any place where intoxicating liquors are sold, and providing a penalty.

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

Senators Blume, Troxel and Solberg introduced:

Senate Bill No. 178. A Bill for an Act to amend and reenact sections 11-1201, 11-1202 and 11-1203 of the North Dakota Revised Code of 1943, relating to county government providing for change of commissioner districts and of number of commissioners; and repealing chapter 11-07 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Political Subdivisions.

Senator Leno, by request introduced:

Senate Bill No. 179. A Bill for an Act to amend and reenact subsection 3 of section 43-0901 of the North Dakota Revised Code of 1943, defining motion picture machine operator, and declaring an emergency.

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

Senators Flatt, Work and Spiekermeier introduced:

Senate Bill No. 180. A Bill for an Act to amend and reenact section 24-1205 of the North Dakota Revised Code of 1943, relating to signs and billboards along highways.

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

Senators Day, Shure and Torno introduced:

Senate Bill No. 181. A Bill for an Act to amend and reenact sections 40-3503 and 40-3515 of the North Dakota Revised Code of 1943, relating to the issuance of revenue bonds by municipalities authorizing municipalities to enter into contracts with other municipalities and with industrial establishments relative to sewerage facilities, and to accept loans or grants from the Federal Government in connection with revenue producing undertakings, and providing for the subordination of revenue bonds.

Was read the first time and referred to the Committee on Political Subdivisions.

Senator Page introduced:

Senate Bill No. 182. A Bill for an Act relating to income tax returns by corporations; restricting expense deductions for income tax purposes by corporations; providing for the checking of income tax returns of banks by the state examiner; and repealing all acts or parts of acts in conflict therewith.

Was read the first time and referred to the Committee on Industry and Business.

Senator Streibel introduced:

Senate Bill No. 183. A Bill for an Act authorizing the Board of Administration to convey and release to the Baptist Old Peoples' Home, a North Dakota Corporation, a certain tract in the southeast corner of the Capitol grounds.

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

Senators Olson of Barnes, Bilden, Reinke, Strand, Mehlhaff and Lichty introduced:

Senate Bill No. 184. A Bill for an Act to amend and reenact sections 15-3911, 15-3914, 15-3915, 15-3917, 15-3924, 15-3927, 15-3928, 15-3929, 15-3933, 15-3937, 15-3939, 15-3940 and 15-3941 of the North Dakota Revised Code of 1943, relating to the Teachers' Insurance and Retirement Fund, assessments, matching by school districts and educational institutions, eligibility for membership, annuities, retirement, military service, defining school "year", withdrawal from fund, options, and death of member.

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

Senator Shure introduced:

Senate Bill No. 185. A Bill for an Act to repeal section 19-0209 of the North Dakota Revised Code of 1943, relating to the labeling of flour, and declaring an emergency.

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

Senators Bridston, Duffy, Coghlan and Nordhougen, introduced:

Senate Bill No. 186. A Bill for an Act creating the North Dakota Indian Affairs Commission, prescribing duties, making an appropriation and declaring an emergency.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1. A Bill for an Act to amend and reenact section 24-02192 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to reconstruction work on secondary state highways and declaring an emergency.

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

House Bill No. 10. A Bill for an Act to amend and reenact sections 40-2212, 40-2215, 40-2219, 40-2225 and 40-2226 of the North Dakota Revised Code of 1943, relating to plans and specifications and estimates for special improvements, call for bids, contents, and advertising for special improvements, opening of bids for same, and petition by property owners for different kinds of paving materials in municipalities.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 32. A Bill for an Act to amend and reenact sections 52-0909, 52-0910 and 52-0921 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to taxes levied under the old age survivor insurance system and refunds thereof.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 37. A Bill for an Act to amend and reenact sections 19-1603 of the North Dakota Revised Code of 1943 and 19-1604 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to anti-freeze.

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

House Bill No. 51. A Bill for an Act regulating the carrying and displaying of warning devices by certain vehicles and prescribing a penalty.

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

House Bill No. 124. A Bill for an Act making it unlawful to go into the fields or woods with a gun or firearms while intoxicated; extending to game wardens the authority to enforce the act; and providing penalties.

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

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

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

W. J. TROUT, Secretary

TWENTY-FIFTH DAY

Bismarck, January 28, 1949

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

Prayer by the Chaplain, Edwin N. Oster of Bismarck.

Roll Call: All Senators present except Senators Bruns-

dale, Foss, Nelson of McKenzie, and Pyle.

A quorum was declared present by the President.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 28, 1949

Mr. President: I have the honor to transmit:

House Bill No. 35

House Bill No. 57

House Bill No. 61

House Bill No. 64

House Bill No. 101

House Bill No. 112

House Bill No. 127

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

GEORGE OLSON, Chief Clerk.

House Chamber

Bismarck, January 28, 1949

Mr. President: I have the honor to return:

Senate Bill No. 85

Which the Senate has requested.

GEORGE OLSON, Chief Clerk.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-third day after recess and the twenty-fourth day and recommends that the same be corrected as follows:

Page 185, line 31, correct the spelling of the word "transportation."

Page 186, line 14, correct the spelling of the word "memorializing", and in line 42, correct the spelling of the word "Government."

Page 189, line 16, correct the spelling of the word "Revised."

Page 190, line 5, correct the spelling of the word "Senate."

Page 191, line 48, insert the word "in" between the words "voting" and "the."

Page 192, line 21, insert the word "in" between the words "voting" and "the."

Page 194, line 2, insert the word "in" between the words "voting" and "the."

Page 196, after line 18, insert "The roll was called and there were ayes, 41; nays, 0; absent and not voting, 8."

Page 196, after line 38, insert "So the Resolution passed and the title was agreed to."

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which

motion prevailed and the report was adopted.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 109

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 25 have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

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

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

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 51 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 88 have had the same under consideration and recommend that the same be amended as follows:

In lines 19 and 20 of the printed bill change the figure "1948" to "1949".

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 142 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 145 have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

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

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 151 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 8 have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 27 have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 28 have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 29 have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Education to whom was referred House Bill No. 48 have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 53 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 73 have had the same

under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 74 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 83 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 89 have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Social Welfare to whom was referred House Concurrent Resolution "C" have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

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

FIRST READING OF SENATE BILLS

Senators Flatt, Schrock and Spiekermeier introduced:

Senate Bill No. 187. A Bill for an Act to amend and reenact section 11-1923 of the North Dakota Revised Code of 1943, relating to fees which may be charged by coroners.

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

Senator Braun introduced:

Senate Bill No. 188. A Bill for an Act to amend section 57-4101 by creating subsection 8, amending and reenacting sections 57-4102, 57-4103, 57-4104, 57-4106, 57-4107, 57-4108, 57-4110, 57-4111, 57-4115, 57-4116, 57-4117, 57-4132 of the North Dakota Revised Code of 1943 and sections 57-4809, 57-4810, 57-4811, and 57-4812 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to tax on motor vehicle fuels and repealing sections 57-4105 and 57-4114 of the North Dakota Revised Code of 1943.

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

Senator Duffy introduced:

Senate Bill No. 189. A Bill for an Act relating to the registration or transfer of securities to or by fiduciaries of their nominees.

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

The Committee on Agriculture introduced:

Senate Bill No. 190. A Bill for an Act defining frozen dairy foods and flavored ices; providing for the licensing and inspection of manufacturers of frozen dairy foods and flavored ices; providing for the labeling of all packages and containers containing frozen dairy foods and frozen ices; providing for the inspection of manufacturing plants by the state dairy department, and authorizing the state dairy department to enforce the provisions of this Act; providing for the state laboratories department to make all chemical and bacteriological examinations and analyses; and, repealing all acts or parts of acts in conflict with the provisions of this Act.

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

Senators Braun, Stucke, Shure, Wolf, Bridston and Spiekermeier introduced:

Senate Bill No. 191. A Bill for an Act to amend and reenact Section 5-0304 of the North Dakota Revised Code of 1943 with reference to wholesale liquor licenses, and to prohibit the issuance of wholesale liquor licenses to persons or partnerships who have not been residents of North Dakota for a period of five years, or to corporations unless all officers and directors and the holders of not less than 75% of the value of the stock and 75% of the voting rights of the corporation have been residents of North Dakota for a period of five years.

Was read the first time and referred to the Committee on Political Subdivision.

Senators Page, Duffy and Reinke introduced:

Senate Concurrent Resolution "K". A concurrent resolution providing for the amendment of section 202 of Article XV of the Constitution of the state of North Dakota as amended.

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

Senators Page, Duffy and Reinke introduced:

Senate Concurrent Resolution "L". A concurrent resolution providing for the amendment of section 25 of Article II of the Constitution of the state of North Dakota, as amended.

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

The President called the President Pro Tem Bridston to the chair.

SECOND READING OF SENATE BILLS

Senate Bill No. 33

Which has been read.

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

ROLL CALL

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Lichty	Sandness
Brant	Lynch	Schrock
Braun	Mehlhoff	Shure
Bridston	Morgan	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Streibel
Duffy	Nordhougen	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Mountrail	Troxel
Fraser	Olson, Barnes	Tuff
Freed	Page	Welanders
Kamrath	Reinke	Work

Those voting in the negative were:

Bjorlie	Schoeder	Wolf
Blume	Solberg	

Absent and not voting:

Brunsdale	Leno	Pyle
Foss	Nelson, McKenzie	Wahlund

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

Senate Bill No. 106

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 10; absent and not voting, 5.

ROLL CALL

Those voting in the affirmative were:

Albers	Lynch	Schrock
Bilden	Mehlhoff	Schoeder
Bjorlie	Nelson, Griggs-	Solberg
Blume	Steele	Strand
Bridston	Nordhougen	Streibel
Coghlan	O'Brien	Stucke
Feton	Olson, Mountrail	Troxel
Fraser	Olson, Barnes	Tuff
Freed	Page	Wahlund
Kamrath	Reinke	Welanders
Krenz	Rue	Wolf
Leno	Sandness	

Those voting in the negative were:

Brant	Lichty	Spiekermeier
Braun	Morgan	Torno
Duffy	Shure	Work
Flatt		

Absent and not voting:

Brunsdale	Foss	Pyle
Day	Nelson, McKenzie	

So the bill passed and the title was agreed to.

Senate Bill No. 109

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, 42; nays, 1; absent and not voting, 6.

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Bjorlie	Lynch	Shure
Blune	Mehlhoff	Spiekermeier
Brant	Nelson, Griggs-	Strand
Braun	Steele	Streibel
Bridston	Nordhougen	Stucke
Coghlan	O'Brien	Torno
Day	Olson, Mountrail	Troxel
Duffy	Olson, Barnes	Tuff
Feton	Page	Wahlund
Fraser	Reinke	Welander
Freed	Rue	Wolf
Kamrath	Sandness	Work
Krenz		

Those voting in the negative were:

Solberg

Absent and not voting:

Brunsdale	Foss	Nelson, McKenzie
Flatt	Morgan	Pyle

So the bill passed and the title was agreed to.

Senate Bill No. 116

Was read the second time.

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

ROLL CALL

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Bjorlie	Lynch	Shure
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff

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Fraser	Page	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Wolf
Krenz	Sandness	Work

Absent and not voting:

Bridston	Foss	Pyle
Brunsdale	Nelson, McKenzie	

So the bill passed and the title was agreed to.

Senator Solberg moved that further action on Senate Bill No. 140, be laid over until the bill is printed, which motion prevailed.

Senate Concurrent Resolution "B"

Was read the second time.

The question being on the final passage of the resolution, the roll was called and there were ayes, 37; nays, 6; absent and not voting, 6.

ROLL CALL

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Brant	Morgan	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Bridston	Steele	Strand
Coghlan	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Wahlund
Fraser	Olson, Barnes	Welander
Freed	Reinke	Wolf
Kamrath	Rue	

Those voting in the negative were:

Duffy	Streibel	Tuff
Page	Stucke	Work

Absent and not voting:

Brunsdale	Foss	Nelson, McKenzie
Day	Leno	Pyle

So the bill passed and the title was agreed to.

Senator Brant moved that the Senate do now recess until 1:00 P. M., January 29, 1949, which motion prevailed.

W. J. TROUT, Secretary

TWENTY-FIFTH DAY AFTER RECESS AND
TWENTY-SIXTH DAY

Bismarck, January 29, 1949

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

FIRST READING OF SENATE BILLS

Senator Duffy introduced:

Senate Bill No. 192. A Bill for an Act to amend and reenact section 5 of chapter 256, Session Laws of 1947, providing for the suspension of operators licenses when involved in accidents unless security is deposited, authorizing the highway commissioner to grant additional time.

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

Senator Rue introduced:

Senate Bill No. 193. A Bill for an Act providing for the exemption of certain income from taxation.

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

Senator Olson of Barnes introduced:

Senate Bill No. 194. A Bill for an Act to amend and reenact section 15-4701 of the North Dakota Revised Code of 1943, relating to schools free and accessible, school ages, and age of starting a child in school.

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

Senators Morgan and Duffy introduced:

Senate Bill No. 195. A Bill for an Act to provide for the payment of a deficit in the expenses of district judges.

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

The Committee on Transportation introduced:

Senate Bill No. 196. A Bill for an Act to amend and reenact Section 39-0517 of the North Dakota Revised Code of 1943, relating to transfer of title of vehicle; endorsement required; certificate of title delivered; new certificate obtained; penalty.

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

The Committee on Transportation introduced:

Senate Bill No. 197. A Bill for an Act repealing Section 39-0515 of the North Dakota Revised Code of 1943 relating to registration card to be endorsed and sent to depart-

ment upon transfer of vehicle; penalty.

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

The Committee on Transportation introduced:

Senate Bill No. 198. A Bill for an Act to amend and reenact Sub-Section 1, Section 39-0401 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to definition of dealer.

Was read the first time and referred to the Committee on Business and Industry.

The Committee on Transportation introduced:

Senate Bill No. 199. A Bill for an Act to amend and reenact Section 39-0462 of the North Dakota Revised Code of 1943, relating to filing of list of used cars and fees.

Was read the first time and referred to the Committee on Business and Industry.

The Committee on Transportation introduced:

Senate Bill No. 200. A Bill for an Act to amend and reenact Section 39-0510 of the North Dakota Revised Code of 1943, relating to registration card; issuance, contents; signing of.

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

The Committee on Transportation introduced:

Senate Bill No. 201. A Bill for an Act to amend and reenact Section 39-0418 of the North Dakota Revised Code of 1943, relating to penalty for delinquent registration fees; exceptions; and liability of dealer for penalty.

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

The Committee on Transportation introduced:

Senate Bill No. 202. A Bill for an Act to amend and reenact Section 39-0417 of the North Dakota Revised Code of 1943, relating to when registration fees become due and delinquent.

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

The Committee on Transportation introduced:

Senate Bill No. 203. A Bill for an Act to amend and reenact Section 39-0518 of the North Dakota Revised Code of 1943, relating to forwarding certificate of title to department not required when transferee is a dealer; exception.

Was read the first time and referred to the Committee on Business and Industry.

The Committee on Transportation introduced:

Senate Bill No. 204. A Bill for an Act requiring a North Dakota title to a motor vehicle before sale; failure to furnish title voids sale; constituting sale without a North Dakota title a misdemeanor, and repealing Section 39-0516 of the North Dakota Revised Code of 1943.

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

The Committee on Transportation introduced:

Senate Bill No. 205. A Bill for an Act to amend and re-enact Section 39-0411 of the North Dakota Revised Code of 1943, relating to number plates furnished by department.

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

Senator Albers introduced:

Senate Bill No. 206. A Bill for an Act to amend and re-enact subsection 3 of section 11.1010 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to salaries and expense allowances of county officers.

Was read the first time and referred to the Committee on Political Subdivisions.

Senator Solberg introduced:

Senate Bill No. 207. A Bill for an Act declaring the effect of a registered brand or mark on livestock; requiring a bill of sale on the sale of branded or marked livestock; declaring the effect thereof; providing a penalty and repealing section 36-0907 of the North Dakota Revised Code of 1943.

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

Senators Lichty, Torno, Duffy and Tuff introduced:

Senate Bill No. 208. A Bill for an Act providing an increase in compensation to county commissioners during the calendar years 1949, 1950, 1951, and 1952, making such increase retroactive to January 1, 1949, and declaring an emergency.

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

Senator Day, by request introduced:

Senate Bill No. 209. A Bill for an Act relating to distribution of property of decedents whose estates are not admitted to probate.

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

Senators Stucke, Mehlhaff, Solberg and Day introduced:

Senate Bill No. 210. A Bill for an Act requiring the hiring of specialists in the field of mental ills for the treatment of patients at the State Hospital for the Insane at Jamestown and for the treatment of persons not committed.

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

Senators Day and Duffy, by request introduced:

Senate Bill No. 211. A Bill for an Act to Amend and Re-enact Section 29-2402 of the North Dakota Revised Code of 1943, relating to causes for granting new trial, and time of making motion on cause No. 8. in this section.

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

Senators Day and Duffy, by request introduced:

Senate Bill No. 212. A Bill for an Act to Amend and Re-enact Section 28-1902 of the North Dakota Revised Code of 1943, relating to causes for new trial.

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

The Committee on Appropriations introduced:

Senate Bill No. 213. A bill for an Act making an appropriation to pay administration expenses in connection with the payment of adjusted compensation to North Dakota veterans of World War II and declaring an emergency.

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

Senator Day introduced:

Senate Bill No. 214. A Bill for an Act providing for a temporary increase in income taxes; to remain in effect until the bonds issued in connection with the adjusted compensation to veterans of World War II have been paid.

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

Senator Rue, by request introduced:

Senate Bill No. 215. A Bill for an Act amending and re-enacting Section 40-2305 of the North Dakota Revised Code of 1943, relating to the levy of Assessments to pay the cost of special improvements, to define the items of cost to be assessed and permit such assessment prior to completion of the work, and declaring an emergency.

Was read the first time and referred to the Committee on Political Subdivisions.

Senator Day, by request introduced:

Senate Bill No. 216. A Bill for an Act to amend and re-enact section 12-1714 of the 1943 Revised Code, for the State of North Dakota, prohibiting the buying of pretended titles and making the buying and selling of the same or the bringing of an action upon an instrument conveying such title a misdemeanor, providing a penalty therefor, and declaring an emergency.

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

Senator Brant introduced:

Senate Bill No. 217. A Bill for an Act to amend and re-enact section 35-2013 of the North Dakota Revised Code of 1943, relating to house mover's liens.

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

The Committee on Finance and Taxation introduced:

Senate Bill No. 218. A Bill for an Act imposing separate and additional taxes on the sale of liquor, providing for collection thereof, providing a penalty for violation and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

The Committee on Finance and Taxation introduced:

Senate Bill No. 219. A Bill for an Act imposing a separate additional tax on sale of beer, providing for collection thereof into the general fund, providing a penalty for violation thereof and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

The Committee on Finance and Taxation introduced:

Senate Bill No. 220. A Bill for an Act imposing a separate additional tax on cigarettes, providing for collection thereof into the general fund, providing a penalty for violation and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

The Committee on Finance and Taxation introduced:

Senate Bill No. 221. A Bill for an Act appropriating surplus funds of the Bank of North Dakota to the sinking fund for General Obligation Bonds, Veterans of World War II Adjusted Compensation Series, and declaring an emergency.

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

The Committee on Finance and Taxation introduced:

Senate Bill No. 222. A Bill for an Act appropriating surplus funds of the North Dakota Mill and Elevator Association to the sinking fund for General Obligation Bonds, Veterans of World War II Adjusted Compensation Series, and declaring an emergency.

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

Senators Stucke, Nordhougen, Duffy, Kamrath, Coghlan, Nelson of McKenzie, Rue, Albers and Bridston introduced:

Senate Bill No. 223. A Bill for an Act making an appropriation for the biennium beginning July 1, 1949, and ending June 30, 1951, for the disbursement by the Public Welfare Board of North Dakota to counties in which are located Indian reservations to provide for the assistance of destitute and necessitous Indians on Indian reservations within the state of North Dakota.

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

Senators Reinke and Spiekermeier introduced:

Senate Bill No. 224. A Bill for an Act to amend and reenact section 60-0217 of the North Dakota Revised Code of 1943, relating to warehouse and storage grain contracts.

Was read the first time and referred to the Committee on Business and Industry.

Senators Wahlund, Braun, Day, Spiekermeier and Reinke introduced:

Senate Bill No. 225. A Bill for an Act to amend and reenact subsection 1 of section 61-2133 and section 61-2148 of the North Dakota Revised Code of 1943 and sections 61-2135 and 61-2142 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to drainage projects.

Was read the first time and referred to the Committee on Natural Resources.

Senators Stucke, Bilden and Mehlhaff introduced:

Senate Bill No. 226. A Bill for an Act to regulate the handling, sale, and distribution of barbiturates.

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

Senator Page introduced:

Senate Bill No. 227. A Bill for an Act pertaining to

licenses to practice trades and professions.

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

Senator Day introduced:

Senate Bill No. 228. A Bill for an Act to amend and reenact section 10.0513 of the North Dakota Revised Code of 1943, providing the place of holding stockholders' and directors' meetings of corporations; providing for place of keeping minutes and providing for appointment of resident agency when directors' meeting held outside state.

Was read the first time and referred to the Committee on Business and Industry.

Senator Day, by request introduced:

Senate Bill No. 229. A Bill for an Act to amend and reenact section 16-0107 of the 1947 Supplement to the North Dakota Revised Code of 1943 and sections 16-0301, 16-0804 and 16-1702 of the North Dakota Revised Code of 1943, relating to election laws.

Was read the first time and referred to the Committee on Political Subdivisions.

Senators Fraser, Sandness, Reinke and Bjorlie introduced:

Senate Concurrent Resolution "M". A concurrent resolution requesting the United States Biological Survey to control weeds on government game reserves.

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

Senator Brant moved that the Senate do now recess until the call of the Chair, which motion prevailed.

The Senate re-convened at the call of the Chair.

FIRST READING OF SENATE BILLS

Senators Day, Work, Stucke, and Nordhougen introduced:

Senate Bill No. 230. A Bill for an act making it unlawful for any employer to discriminate because of race, color or religion.

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

Senators Stucke, Streibel, Brant, Bridston and Day introduced:

Senate Bill No. 231. A Bill for an Act implementing the constitutional amendment adopted in November, 1948, and directing the method of disbursement and the expenditure of the proceeds from the one mill levy provided thereby, together with any other funds received, for the establishment, development and maintenance of the North Dakota State Medical Center.

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

Senators Coghlan, Day, Rue, Wolf and Schoeder introduced:

Senate Bill No. 232. A Bill for an Act relating to the registration of motor vehicles.

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

Senator Day, by request introduced:

Senate Bill No. 233. A Bill for an Act providing for summary guardianships in estates of small value; and declaring an emergency.

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

Senator Day, by request introduced:

Senate Bill No. 234. A Bill for an Act amending and reenacting section 57-3727 of the North Dakota Revised Code of 1943, relating to determination of taxes on estates when there is no probate proceeding within the state, and declaring an emergency.

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

Senator Morgan introduced:

Senate Concurrent Resolution No. "N". A concurrent resolution authorizing the state printing and publication commission to pay overtime for work done by printers working for the Bismarck Tribune Company, January 29 and 30, 1949, in and about preparations for the printing of house and senate journals.

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

MESSAGE TO THE HOUSE

Bismarck, January 29, 1949

Mr. Speaker: I have the honor to request the return of House Bill No. 30 which the Senate has erroneously sent to the House.

Very respectfully,
W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, January 29, 1949

Mr. President: I have the honor to transmit:

House Bill No. 44
House Bill No. 45
House Bill No. 85
House Bill No. 114
House Bill No. 144
House Bill No. 146

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

GEORGE OLSON, Chief Clerk.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. "G"

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

REPORT OF STANDING COMMITTEE

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

Senate Bill No. 83

And find the same correctly Enrolled.

E. TORNO, Chairman.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign House Concurrent Resolution "G" and Senate Bill No. 83.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 29, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 83

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 29, 1949

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. "G"

Which the President has signed.

W. J. TROUT, Secretary.

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

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

W. J. TROUT, Secretary.

TWENTY-SIXTH DAY

Bismarck, January 29, 1949

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

Prayer, by the chaplain, Rev. Edwin N. Oster of Bismarck.

Roll Call: All Senators present except Senators Brunsdale, Feton, Foss, Freed, Kamrath, Leno, Nelson of McKenzie, O'Brien, Olson of Barnes, Pyle, Sandness, Schrock, and Welander.

A quorum was declared present by the President.

Mr. President: 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:

Page 200, line 12, correct the spelling of the word "ad-

ditional."

Page 201, line 19, correct the spelling of the word "agreements."

Page 202, line 6, correct the spelling of the word "Bjorlie."

Page 203, line 36, correct the spelling of the word "Teachers'" and "Insurance."

Page 203, line 45, correct the spelling of the word "Revised."

Page 203, line 49, correct the spelling of the name "Nordhougen."

Page 207, line 30, correct the spelling of the word "motion."

Page 209, line 11, correct the spelling of the word "inspection."

Page 209, line 31, correct the spelling of the word "than."

And when so corrected recommends that the same be approved.

FRANK ALBERS, Acting Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, January 29, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 33
Senate Bill No. 106
Senate Bill No. 109
Senate Bill No. 116

Senate Concurrent Resolution No. "B"

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

W. J. TROUT, Secretary.

Senator Reinke presented a communication from Wahpeton in regard to collection of sales tax, not to exceed 5%.

This communication was referred to the Committee on Finance and Taxation.

The Lieutenant Governor of the State of North Dakota presented a Communication from the Department of Public Instruction thanking the Senate for the courtesy extended to the County Superintendents.

Senator Streibel moved that the communication from the Department of Public Instruction be printed in the journal, which motion prevailed.

Department of Public Instruction
January 28, 1949

Honorable C. P. Dahl
Lieutenant Governor of the State of

North Dakota
State Capitol Building
Bismarck, North Dakota
Dear Mr. Dahl:

May I take this means of expressing to you the sincere appreciation of the County Superintendents for the many courtesies extended to them by the members of the Senate. The County Superintendents are deeply appreciative of the sound judgment shown and expressed by the members of the Senate in their deliberations affecting the present and the future development of the potential human resources of North Dakota.

Respectfully yours,
DEPARTMENT OF PUBLIC INSTRUCTION
GARFIELD B. NORDRUM, Superintendent

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 54 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 75 have had the same under consideration and recommend that the same be amended as follows:

In line 35 strike out the figure \$1,200.00 and insert the figure \$1,500.00 in lieu thereof.

In line 41 for Total strike out the figure \$59,500.00 and insert the figure \$59,800.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 86 have had the same under consideration and recommend that the same be amended as follows:

In the first line in the title of the Bill insert after the word "to" the words "oil, gas"; after the word "mineral" insert the words "and archeological"; change "reservation" to "reservations".

In the third line of the title, strike out the word "mineral" and in lieu thereof, insert the word "such".

In the fourth line of the title, strike out the words "on sales of real estate".

In the fifth line of the title, after the word "agencies" insert the words "or agents".

In line 2, after the word "agencies" insert the words "or agents"; after the word "desire" insert the words "or be required"; after the word "acquire" insert the words "or approve title to".

In line 6, after the word "of" insert the words "oil, gas

and"; strike out the word "mineral" and, in lieu thereof, insert the words "minerals and"; after the word "rights" insert the words "thereto, and free of reservations of archeological materials".

In line 9, after the word "reserved" insert the words "oil, gas or"; strike out the word "mineral" and, in lieu thereof, insert the words "minerals or"; after the word "therein" insert the words "or archeological materials".

In line 10, after the word "agencies" insert the words "or agents".

In line 11, after the word "desire" insert the words "or be required"; after the word "acquire" insert the words "or approve".

In line 15, after the word "agency" insert the words "or agent".

In line 16, strike out the words "all mineral rights" and insert, in lieu thereof, the word "everything".

In line 17, after the word "power" insert the word "so"; strike out the words "such mineral".

In line 18, strike out the word "rights".

In line 19, strike out the word "price" and, in lieu thereof, insert the words "consideration, if any".

In line 20, strike out the word "all" and insert, in lieu thereof, the word "any"; after the word "moneys" insert the words "or other consideration".

In line 22, strike out the words "mineral rights were reserved" and insert, in lieu thereof, the words "reservations were made".

In line 24, after the word "agencies" insert the words "or agents"; after the word "desire" insert the words "or be required" after the word "acquire" insert the words "or approve title to".

In line 27, after the word "of" insert the words "oil, gas and"; strike out the word "mineral" and insert, in lieu thereof, the words "minerals and"; after the word "rights" insert the words "thereto, and free of reservations of archeological materials."

In line 29, after the word "reserved" insert the words "oil, gas or".

In line 30, strike out the word "mineral" and insert, in lieu thereof, the words "minerals or"; after the word "therein" insert the words "or archeological materials".

In line 31, after the word "agencies" insert the words "or agents"; after the word "desire" insert the words "or be required"; after the word "acquire" insert the words "or approve".

In line 34, strike out the words "all mineral rights" and insert, in lieu thereof, the words "or agent, everything".

In line 36, strike out the word "price" and insert, in lieu thereof, the words "consideration, if any".

In line 37, strike out the word "all" and insert, in lieu thereof, the word "any"; after the word "moneys" insert the words "or other consideration".

In line 39, after the word "such" strike out the words "mineral rights were reserved" and insert, in lieu thereof, the words "reservations were made".

Renumber the lines.

And when so amended recommend the same do pass.

J. L. FLATT, Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Brant moved that the amendments to Senate Bill No. 88 be adopted, which motion prevailed.

Senator Morgan moved that a committee of two be appointed to escort the Honorable Milton Young, United States Senator, to the rostrum with the request that he address the Senate at this time, which motion prevailed.

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

The Honorable Milton Young was escorted to the rostrum and was invited to address the Senate at this time by the Lieutenant Governor.

Senator Young: Thank you, Mr. President. My good friends, members of the Senate. I can tell you that it is a mighty nice thing to get back and see you fellows again. This is probably the nicest group of people in the entire State of North Dakota. I remember at one time I helped to introduce a bill that would cut down the members of the State Legislature. I remember well the speech that Senator Watt made against it—a very effective speech. He was very much opposed to it. His main argument was this that this was the best educational institution in the State of North Dakota. I am happy now that this resolution did not pass and that the membership remained the same as it is now and always has been.

I think any success that I may have attained in Washington is due entirely to the experience I gained from association with the people here. I believe, if I had the privilege of picking four men to represent the State of North Dakota, that I could pick them from you men and that they could represent North Dakota better than the men we have in Washington now. I say this with all due respect to my colleagues and myself included. You have a very able membership here. Although you may differ at often times in your views, you are all conscientious and very honest. In fact during my thirteen years here, I never knew of any member to accept money to influence his position on any legislative matter.

I would have liked to talked from my old seat down here in the renegade section. I remember often that when I was majority floor leader and was on the floor making

a speech that my good friend Flatt would pull my coat tail and say it was rotten and such, and I preferred coming up here to get away from that renegade.

Last fall when I had the privilege of taking to North Dakota, the sub-committee on appropriations from the United State Senate, Senators Russell from Georgia, Thomas from Oklahoma and Green from Rhode Island, three of the most traveled men in the United States Senate, I was surprised at the things in North Dakota that struck them the most.

When we were down in the Red River Valley, they never got over the black soil that we have in the Valley. I don't suppose there is anything like it in the world. Senator Green admired the herds of white-faced cattle and the well cared for farms in North Dakota as we drove through the country.

While we were waiting for Governor Aandahl to go out to the Garrison dam, I took them to the House Chambers and the Senate Chambers and a short trip of the Capitol. Senator Russell, and all of them made about the same remarks—they said that this capitol was one of the most beautiful capitols in the entire world. I thought it had cost something like three and one-half million but Governor Aandahl told us it was approximately two and one-half million. They were just amazed by the beauty of it, and the type of a building sitting out here in the prairies of North Dakota. They had not heard about it before.

While I am on the subject, that brings something else to my mind. While in the legislature we fight about various problems, and different types of legislation, but we have much in common. The people of North Dakota are fighters. They all believe in economy. This capitol is one illustration. It was built during two administrations but a very good job was done with the least amount of money possible. I don't know how you could possibly do a better job.

I remember the session of 1933. I don't suppose there has been a more economical session in the history of North Dakota. I sometimes think, in looking back, that it was too economical. The salaries were cut tremendously low. It was the determination of the people of North Dakota to do it on their own without issuing bonds and without asking the Federal Government for more than the minimum amount of assistance in those terrible times.

There is quite a little in common in the operation here in the Senate and in the operation of the United States Senate. In some things I believe this body is more democratic than the United States Senate. You have a roll call on every issue and you have to have a Constitutional majority. In the United States Senate about 2/3rds of the bills are passed by unanimous consent. I remember one bill that involved an appropriation of \$26,000,000.00 passing in just that manner. I suppose about 2/3rds of the bills dies in the committees.

In other respects I believe it is a little bit more Demo-

cratic down there. There is unlimited speech. You have the privilege of having it all recorded. Every word is recorded. The United States Senate is the most democratic legislative body in the entire world and I suppose there isn't a member of the Senate that would want to change it. In fact they would fight hard to preserve this democracy in the United States Senate. I never was associated with a group of people that have more brotherly love than they have there. Some members may talk for 8 to ten hours and you will never hear a word from the others, even if they have to cancel appointments. Even if they may disagree with what he is saying that is still a privilege that they extend to the individual members and they can hold the floor as long as they want to.

Maybe I should say just a few words about what this Congress will do. I think it will make some improvement in the long-range farm price support act. I believe that you will find a support level of 90% parity. I believe that it will support the 90% level on your perishables. There isn't any possibility of getting away from a feasible price support level.

About two weeks ago, Frank Woolley, the top man on price levels was in the office. We talked about it for about two hours—the price support problem we have in the Red River Valley on potatoes. The growers want the department to step in and buy more potatoes and they have already spent two hundred million dollars in supporting this. It may take fifty million more. It took about a billion dollars last year to support the cotton market and it will probably take another billion to handle the support price on cotton at 90% parity.

Another thing, I believe we will find a large appropriation for water projects. I don't believe the compulsory health bill will pass. A modified one will probably pass. Our present budget is around forty-two billion dollars. It can't possibly be held at that. The army and navy appropriation authorizes the navy to build 10,000 planes. The appropriation does not show up in this year's budget but it will be in next year's. There are several things that do not show up in the budget but they have to be paid for. Deficiency appropriations come along from time to time. Three main deficiencies that will take a sizeable amount, the Marshall bill, and you can expect income taxes rate to increase for another year. I don't know at just what level they will be but most of them will probably be raised on the higher brackets and in many cases they will reach down to probably the five and six thousand dollar income brackets. The six million people that don't have to file returns will not be changed, and the ones over 65 years will not change.

There are many other things that I might discuss but I think I have taken up enough time and in closing may I say that I do appreciate very much being back with you and so long as I have the privilege of serving in the United States Senate I will always try to make this biennial trip, and I appreciate Senator Day giving me my old

seat back again.

Senator Streibel moved that the remarks of Senator Young be printed into the Journal, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 28

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, 30; nays, 3; absent and not voting, 16.

ROLL CALL

Those voting in the affirmative were:

Bilden	Kamrath	Shure
Bjorlie	Krenz	Solberg
Blume	Lichty	Spiekermeier
Brant	Lynch	Strand
Braun	Mehlhoff	Streibel
Coghlan	Nordhougen	Stucke
Day	Olson, Mountrail	Torno
Duffy	Page	Tuff
Flatt	Reinke	Wahlund
Fraser	Schoeder	Wolf

Those voting in the negative were:

Morgan	Rue	Work
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Absent and not voting:

Albers	Leno	Pyle
Bridston	Nelson, McKenzie	Sandness
Brunsdale	Nelson, Griggs-	Schrock
Feton	Steele	Troxel
Foss	O'Brien	Welander
Freed	Olson, Barnes.	

So the bill passed and the title was agreed to.

Senate Bill No. 51

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 2; absent and not voting, 16.

ROLL CALL

Those voting in the affirmative were:

Bilden	Krenz	Shure
Bjorlie	Lichty	Solberg
Blume	Lynch	Spiekermeier
Brant	Mehlhoff	Strand
Braun	Morgan	Stucke
Coghlan	Nordhougen	Torno
Day	Page	Tuff
Duffy	Reinke	Wahlund
Flatt	Rue	Wolf
Fraser	Schoeder	Work
Kamrath		

Those voting in the negative were:

Olson, Mountrail	Streibel
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Absent and not voting:

Albers	Leno	Pyle
Bridston	Nelson, McKenzie	Sandness

Brunsdale	Nelson, Griggs-	Schrock
Feton	Steele	Troxel
Foss	O'Brien	Welander
Freed	Olson, Barnes	

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 35. A Bill for an Act to license, regulate and supervise the licensing and inspection of locker plants for storage of frozen food in individual lockers; defining the powers and duties of the state laboratories department administering this Act; providing fees for licenses and providing for a penalty.

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

House Bill No. 57. 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.

House Bill No. 61. 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.

House Bill No. 64. 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.

House Bill No. 101. A Bill for an Act to amend and reenact Section 27-0602 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to salary and expense of Court Reporters.

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

House Bill No. 112. A Bill for an Act to amend and reenact section 9-1006 of the North Dakota Revised Code of 1943, fixing liability for negligence.

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

House Bill No. 127. A Bill for an Act to amend and reenact section 25-0825 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to recovery of expenses for institutional care from patients, estates of patients, and from veterans, authorizing county auditors

to collect such expenses for the county and the state, providing that the statute of limitations shall not bar the collection of such expenses.

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

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

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

W. J. TROUT, Secretary.

TWENTY-EIGHTH DAY

Bismarck, January 31, 1949

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

Roll Call: All Senators present except Senators Albers and O'Brien.

A quorum was declared present by the President.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-fifth Day after Recess and Twenty-sixth Day and recommend that the same be corrected as follows:

Page 216, line 3, correct the spelling of the word "appropriation."

Page 216, line 43, correct the spelling of the word "additional."

Page 217, line 45, correct the spelling of the word "Supplement."

Page 218, line 17, correct the spelling of the word "of."

Page 221, line 27, correct the spelling of the word "communication."

Page 222, strike out line 2, and insert in lieu thereof "May I take this means of expressing to you the sincere."

Page 222, line 5, correct the spelling of the word "Superintendents."

Page 222, line 8, insert the word "the" between the words "and" and "future."

Page 222, line 21, add the letter "s" to the word "Appropriations."

Page 222, line 42, correct the spelling of the word "mineral."

Page 224, line 9, correct the spelling of the word "pass."

Page 226, line 4, correct the spelling of the word "recorded."

Page 227, line 2, correct the spelling of the word "seat."

Page 227, after line 12, insert the words "Roll Call," and after line 39 insert the words "Roll Call", and strike out lines 9 and 36.

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

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

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, January 31, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 30

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, January 31, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 28

Senate Bill No. 51

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

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, January 31, 1949

Mr. President: I have the honor to return:

House Bill No. 30

Which the Senate has requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, January 31, 1949

Mr. President: I have the honor to return:

Senate Bill No. 83

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, January 31, 1949

Mr. President: I have the honor to transmit:

House Bill No. 16

House Bill No. 60

House Bill No. 65

House Bill No. 84

House Bill No. 136

House Bill No. 142

House Bill No. 148

House Bill No. 149

House Bill No. 150

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

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, January 29, 1949

Mr. President: I have the honor to transmit:

House Bill No. 86

House Concurrent Resolution "A"

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 88

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

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

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 83

Was delivered to the Governor for his approval at the hour of 3:45 p. m. o'clock, January 31, 1949.

EMIL TORNO, Chairman.

Mr. President: Your Committee on Finance and Taxation to whom was referred:

Senate Bill No. 1

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

In the original Bill:

In the title, after the words "World War II;" strike out the balance of the title and insert the following language: "to provide tax levies and transfers of moneys to pay such bonds, making appropriations, and declaring an emergency.";

In line 47 of the Bill, strike out the words "of the bonds sold at any one time";

In line 51, beginning with the word "Should" strike out the balance of the line, strike out lines 52, 53, 54, 55 and 56 up to and including the word "maturity" and insert the following language: "Bonds issued under this Act shall not be callable prior to maturity.";

In line 65, beginning with the word "Each" strike out the balance of the paragraph;

Strike out Sections 7, 8, 9 and 10 and insert the following:

"SECTION 7. APPROPRIATION FROM FIRST MONEYS IN GENERAL FUND.) Upon the sale and delivery of the bonds issued under this Act there is appropriated and the state treasurer is authorized to transfer the sum of one hundred twenty-five thousand dollars monthly, on the first day of each month, from the general fund in the state treasury to the sinking fund established under the provisions of this Act for the payment of such bonds. The money so appropriated shall be a first charge upon any moneys in the general fund and such appropriation and transfer shall continue until such bonds and interest thereon have been paid or until the cash balance accumulated in the sinking fund is sufficient to pay all bonds then outstanding and interest thereon, and at such time the appropriation and transfer from the fund shall terminate."

In line 188, following the words "taxes levied" insert the following language: "and all sums appropriated and transferred";

In line 195, following the word "thereto" strike out the comma and insert the following language: "and there is hereby appropriated";

In line 210, beginning with the word "The" strike out the balance of the line, strike out lines 211, 212, 213, 214, 215, and 216 up to and including the period, and insert the following language: "The said five million dollars of Veterans Post War Rehabilitation fund is hereby appropriated for the retirement of the final maturities of such bonds together with the interest thereon.";

Following line 221, insert the following:

"SECTION 10. TRANSFER OF BALANCE.) Upon the retirement of all bonds provided for in this Act together with the interest thereon any balance remaining in the sinking fund shall be transferred by the treasurer to the Veterans' Aid Fund."

In line 241, beginning with the word "may" strike out the balance of the line, strike out lines 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, and 255, and insert the following language: "shall be deposited in the Bank of North Dakota and the Bank of North Dakota shall pay interest thereon as directed by the Industrial Commission.";

Strike out the first three words of line 256, and capitalize the word "the";

Properly renumber the sections and lines.

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be printed in the Journal and laid over one legislative day, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 57 have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 99 have had the same under consideration and recommend that the same be amended as follows:

In line 13 strike out "called in as" at the beginning of the line and strike out "Such" at the end of the line.

Strike out all of lines 14, 15, 16, 17 and all of line 18 to the word "The".

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 112 have had the same under consideration and recommend that the same do pass.

HUGH J. WORK, Chairman.

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

Mr. President: Your Committee on Agriculture to whom

was referred Senate Bill No. 113 have had the same under consideration and recommend that the same be amended as follows:

In line 17, strike out the numeral "1.00" per cent and insert, in lieu thereof, the numeral ".40" per cent;

After line 21, add the following:

"SECTION 2. PENALTY.) Any person violating any provision of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars and not less than three hundred dollars."

And when so amended recommend the same do pass.

WALTER TROXEL, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 134 have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 135 have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "M" have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

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

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

W. H. SHURE, Chairman.

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

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

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 20 have had the same under consideration and recommend that the same be indefinitely postponed.

HUGH J. WORK, Chairman.

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

Mr. President: Your Committee on Agriculture to whom

was referred House Bill No. 36 have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 38 have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

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

Mr. President: Your Committee on Agriculture 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 17, after the word "charge" insert a comma and add the words "upon request,".

And when so amended recommend the same do pass.

WALTER TROXEL, Chairman.

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

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

HUGH J. WORK, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 43 have had the same under consideration and recommend that the same be indefinitely postponed.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted.

Senator Solberg moved that House Bill No. 43 be re-referred to the Committee on Agriculture and further action delayed until February 14, which motion prevailed.

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

HUGH J. WORK, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Morgan moved that the amendments to Senate Bill No. 75 be adopted, which motion prevailed.

Senator Flatt moved that the amendments to Senate Bill No. 86 be adopted, which motion prevailed.

MOTIONS

Senator Flatt moved that the rules be suspended and that he be granted permission to introduce a bill, which motion prevailed.

Senator Flatt moved that Senate Bill No. 214 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senator Braun moved that Walter Trout, the Secretary of the Senate be allowed mileage for coming from and to his home to open this Thirty-first Legislative Session.

ROLL CALL

The question being on the motion of Senator Braun to allow mileage to Walter Trout, Secretary of the Senate, the roll was called and there were: ayes, 47; nays, 0; absent and not voting 2.

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Duffy	Nordhougen	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Albers O'Brien

So the motion prevailed.

FIRST READING OF SENATE BILL

Senator Flatt introduced:

Senate Bill No. 235. A Bill for an Act to Divide the State of North Dakota Into Two Congressional Districts, and Defining the Boundaries of Each of Said Congressional Districts.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 54

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Duffy	Nordhougen	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund

Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Albers	O'Brien
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So the bill passed and the title was agreed to.

The President Pro Tem was called to the Chair by the President.

Senate Bill No. 88

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 23; nays, 23; absent and not voting 3.

Those voting in the affirmative were:

Braun	Leno	Schrock
Bridston	Lynch	Schoeder
Brunsdale	Nordhougen	Strand
Coghlan	Olson, Mountrail	Streibel
Feton	Olson, Barnes	Wahlund
Flatt	Reinke	Wolf
Kamrath	Rue	Work
Krenz	Sandness	

Those voting in the negative were:

Bilden	Freed	Shure
Bjorlie	Lichty	Solberg
Blume	Mehlhoff	Spiekermeier
Brant	Morgan	Stucke
Day	Nelson, McKenzie	Torno
Duffy	Nelson, Griggs-	Troxel
Foss	Steele	Tuff
Fraser	Pyle	Welander

Absent and not voting:

Albers	O'Brien	Page
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So the bill was declared lost for lack of a constitutional majority.

Senator Brant: I change my vote from "aye" to "nay" for the purpose of reconsideration.

The President resumed the Chair.

FIRST READING OF HOUSE BILLS

House Bill No. 44. A Bill for an Act to Amend and Re-enact Sections 10-0901, 10-0902 and 10-0903 of the North Dakota Revised Code of 1943, Pertaining to the Incorporation of Private Agencies Organized for the Purpose of Receiving Children for Care and Placing Children for Adoption and Providing for Powers of Agencies so Incorporated.

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

House Bill No. 45. A Bill for an Act to Amend and Re-enact Sections 50-1202, 50-1203, 50-1205, 50-1206, 50-1207, 50-1208, 50-1210, 50-1211, 50-1212, 50-1213, 50-1214, 50-1215, 1943, Relating to Child Placing Agencies.

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

House Bill No. 85. A Bill for an Act Making an Appropriation to the Superintendent of Public Instruction Out of the State Equalization Fund to Meet Deficiencies in the Per Pupil, High School Tuition and Teacher Unit, for the Biennium Ending June 30, 1949; and Declaring an Emergency.

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

House Bill No. 114. A Bill for an Act Relating to Notice of Assignments of Accounts Receivable, Defining "Account Receivable" and Setting Forth the Effect of Such Assignments as Against Creditors and Subsequent Purchasers and Encumbrancers of Such Account.

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

House Bill No. 144. A Bill for an Act to Amend and Reenact Subdivision a of Subsection 1 of Section 21-0306 of the North Dakota Revised Code of 1943, Relating to Purposes and Specific Limitations of Bond Issues, Authorizing Counties Maintaining County Agricultural and Training Schools to Issue Bonds to Provide Buildings for Such Schools.

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

House Bill No. 146. A Bill for an Act Authorizing Certain School Districts to Make Special Levies for the Support of County Agricultural and Training Schools.

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

Senator Bridston moved that the Senate do now recess for ten minutes, which motion prevailed.

The Senate re-convened pursuant to recess taken, the President presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 8

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting 8.

Those voting in the affirmative were:

Bilden	Lichty	Sandness
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Duffy	Nordhougen	Torno
Feton	Olson, Mountrail	Troxel
Fraser	Olson, Barnes	Tuff
Freed	Page	Wahlund
Kamrath	Pyle	Welander
Krenz	Reinke	Wolf
Leno	Rue	Work

Absent and not voting:

Albers	Flatt	Schrock
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Brunsdale **Foss** **Stucke**
Day **O'Brien**
 So the bill passed and the title was agreed to.
 House Bill No. 27
 Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Streibel
Brunsdale	Nelson, McKenzie	Torno
Coghlan	Nordhougen	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Absent and not voting:

Albers	Nelson, Griggs-	Schrock
Day	Steele	Strand
Flatt	O'Brien	Stucke

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

House Bill No. 28

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Krenz	Reinke
Bjorlie	Leno	Rue
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	Nordhougen	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Pyle	Work
Kamrath		

Absent and not voting:

Albers	Sandness	Strand
Day	Schrock	Stucke
O'Brien		

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

House Bill No. 29

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 14; absent and not voting, 6.

Those voting in the affirmative were:

Blume	Foss	Olson, Barnes
Brant	Freed	Page
Braun	Kamrath	Pyle
Bridston	Krenz	Reinke
Brunsdale	Lynch	Rue
Coghlan	Mehlhaff	Shure
Day	Morgan	Spiekermeier
Duffy	Nelson, Griggs-	Torno
Feton	Steele	Wahlund
Flatt	Nordhougen	Work

Those voting in the negative were:

Bilden	Nelson, McKenzie	Troxel
Bjorlie	Olson, Mountrail	Tuff
Fraser	Schoeder	Welder
Leno	Solberg	Wolf
Lichty	Streibel	

Absent and not voting:

Albers	Sandness	Strand
O'Brien	Schrock	Stucke

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

House Bill No. 48

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhaff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welder
Fraser.	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Albers	Strand	Stucke
O'Brien		

So the bill passed and the title was agreed to.

House Bill No. 58

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Albers	Strand	Stucke
O'Brien		

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

House Bill No. 73

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Kamrath	Rue
Bjorlie	Krenz	Sandness
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Shure
Bridston	Mehlhoff	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhougen	Torno
Duffy	Olson, Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Flatt	Page	Welander
Foss	Pyle	Wolf
Fraser	Reinke	Work
Freed		

Those voting in the negative were:

Nelson, Griggs-	Troxel
Steele	

Absent and not voting:

Albers	Strand	Stucke
O'Brien		

So the bill passed and the title was agreed to.

House Bill No. 74

Was read the second time.

Senator Morgan moved that further action on House Bill No. 74 be laid over one legislative day, which motion prevailed.

House Bill No. 83

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Duffy	Nordhousen	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Albers	Strand	Stucke
O'Brien		

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

House Bill No. 89

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 17; nays, 27; absent and not voting, 5.

Those voting in the affirmative were:

Brant	Freed	Sandness
Braun	Krenz	Schrock
Brunsdale	Lynch	Schoeder
Duffy	Morgan	Torno
Feton	Olson, Barnes	Wolf
Foss	Rue	

Those voting in the negative were:

Bilden	Mehlhoff	Shure
Bjorlie	Nelson, McKenzie	Solberg

Blume	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Streibel
Day	Nordhougen	Troxel
Flatt	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Kamrath	Pyle	Welander
Leno	Reinke	Work
Lichty		

Absent and not voting:

Albers	O'Brien	Stucke
Bridston	Strand	

So the bill was declared lost.

House Concurrent Resolution "C."

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Bilden	Kamrath	Reinke
Bjorlie	Krenz	Rue
Blume	Leno	Sandness
Brant	Lichty	Schrock
Braun	Lynch	Schoeder
Bridston	Mehlhoff	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Streibel
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	Nordhougen	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Pyle	Work

Absent and not voting:

Albers	Shure	Stucke
O'Brien	Strand	

So the Resolution passed and the title was agreed to.

Senator Day moved that the House be asked to return Senate-Bill No. 32 to the Senate, which motion was lost.

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

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

W. J. TROUT, Secretary.

TWENTY-NINTH DAY

Bismarck, February 1, 1949

The Senate convened at 2:00 P. M., the President presiding.
Prayer by the Chaplain, Rev. O. O. Andvik of Mandan.

Roll Call: All Senators present except Senators Albers, O'Brien and Wahlund.

A quorum was declared present by the President.

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

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-eighth day and recommends that the same be corrected as follows:

Page 235, after line 35 insert "Was read the first time and referred to the Committee on State and Federal Government."

Page 230, line 30, after the word "signed" insert a period and strike out the rest of the sentence.

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

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

MOTIONS

Senator Flatt moved that Esther Haugerud be excused as a Senate employee due to ill health, which motion prevailed.

Senator Flatt moved that August Hoff be employed to fill the position held by Esther Haugerud.

ROLL CALL

The question being on the election of August Hoff as an employee the roll was called and there were: ayes, 41; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Bjorlie	Krenz	Reinke
Blume	Leno	Rue
Brant	Lichty	Sandness
Braun	Lynch	Schrock
Brunsdale	Mehlhoff	Schoeder
Coghlan	Morgan	Shure
Day	Nelson, McKenzie	Spiekermeier
Duffy	Nelson, Griggs-	Strand
Feton	Steele	Streibel

Flatt	Nordhougen	Torno
Foss	Olson, Mountrail	Tuff
Fraser	Olson, Barnes	Welander
Freed	Page	Wolf
Kamrath	Pyle	Work

Those voting in the negative were:

Bilden	Solberg	Troxel
Absent and not voting:		
Albers	O'Brien	Wahlund
Bridston	Stucke	

So said employee was declared elected to said position and the President of the Senate administered the oath of office to such employee.

MOTIONS

Senator Brant moved that the vote by which Senate Bill No. 88 was lost be reconsidered, which motion prevailed.

Senator Brant moved that Senate Bill No. 88, be placed at the head of the calendar, which motion prevailed.

Senator Flatt moved that the action by which House Bill No. 28 was passed yesterday be reconsidered, which motion prevailed.

Senator Flatt moved that House Bill No. 28 be laid over one legislative day, which motion prevailed.

Senator Flatt moved that the action by which House Bill No. 89 was defeated be reconsidered, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill 89

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Reinke	Welander
Freed	Rue	Wolf
Kamrath	Sandness	Work
Krenz		

Those voting in the negative were:

Fraser	Pyle
Absent and not voting:	
Albers	O'Brien

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 75

Senate Bill No. 86

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 71, have had the same under consideration and recommend that the same be amended as follows:

In line 30 before the word "Reconstruction" insert the words "Construction and" and renumber the lines.

In line 33 strike out "Post-war Projects," and capitalize the first letter in "Cooperation."

In line 34 after the word "Departments" insert a comma and insert "Small Projects."

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 73, have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure "\$22,150.00" and insert the figure "\$23,650.00" in lieu thereof.

In line 14 for Apparatus strike out the figure "\$1,000.00" and insert the figure "\$2,500.00" in lieu thereof.

In line 15 strike out the word "Cars" and insert the word "Car" in lieu thereof.

In line 16 for Total strike out the figure "\$22,150.00" and insert the figure "\$23,650.00" in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 84, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, line 4, strike out everything after the word "survey" and insert a comma and the words "and report its findings to the Thirty-Second Legislative Assembly of North Dakota."

In Section 2, line 16 of the printed bill, strike out the words "industrial commission" and insert "Thirty-Second Legislative Assembly of North Dakota."

Renumber the lines in Section 2.

Strike out the balance of the bill.

And when so amended recommend the same do pass and be re-referred to the Committee on Appropriations.

MILTON RUE, Chairman.

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

Senator Flatt:

Mr. President: I hope this motion is defeated, for two reasons, at least. First, after a thorough investigation by Dr. Burr and his agents, it has been proven that there is sufficient material in North Dakota to justify a cement plant, but it is necessary that there be a detail of operation, such as transportation, construction, overhead operation, etc., and probably further geological surveys, before a financial summary could be had. The second reason is the fact that we are making a political football out of this bill which will eventually have no bounds. In my estimation, the Industrial Commission would make an unbiased and unprejudiced decision, whereas, if this matter were before the next Legislature, it would be strictly political, regardless of its justification.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 94, have had the same under consideration and recommend that the same be placed upon the calendar without recommendation.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 115, 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 "county superintendent of schools,";

In Section 1, line 3, strike out the words "county superintendent of schools,";

In Section 1, line 7, strike out the words "Two thousand six hundred" and insert, in lieu thereof, the words "Two thousand four hundred";

On line 9, strike out the words "Two thousand seven hundred" and insert, in lieu thereof, the words "Two thousand four hundred fifty";

On line 12, strike out the words "Two thousand eight hundred" and insert, in lieu thereof, the words "Two thousand five hundred";

On line 15, strike out the words "Two thousand nine hundred" and insert, in lieu thereof, the "Two thousand six hundred"; and

On line 19, strike out the words "three thousand" and insert, in lieu thereof, the words "two thousand seven hundred".

And when so amended recommend the same do pass.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions

to whom was referred Senate Bill No. 136, have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 146, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

Senator Streibel moved that further action be deferred on the committee report on Senate Bill No. 149 until the bill is printed, which motion prevailed.

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 160, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 161, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill in the first line after the word "Act" strike out the balance of the line and in the second line strike out the first part of the line to the word "making".

Strike out all of Section 1 and renumber the Sections and lines.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 162, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 192, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 195, have had the same under consideration and recommend that the same be amended as follows:

In line 3 after the word "Thirty-Five" insert the word "Hundred".

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 221, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 222, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "K" have had the same under consideration and recommend that the same be placed upon the calendar without recommendation.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "L" have had the same under consideration and recommend that the same be placed upon the calendar without recommendation.

CARROLL E. DAY, Chairman.

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

Senator Solberg moved that further action on the committee report on Senate Concurrent Resolution "N" be deferred until the Resolution is printed, which motion prevailed.

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

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 23, have had the same under consideration and recommend that the same be referred to the Committee on Finance and Taxation.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 95, have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Olson of Mountrail moved that Senate Bill No. 113

be re-referred to the Committee on Agriculture, which motion prevailed.

Senator Brant moved that the amendments to Senate Bill No. 1 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 99 be adopted, which motion prevailed.

Senator Troxel moved that the amendments to House Bill No. 39 be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 1, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 54

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

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 1, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 8

House Bill No. 27

House Bill No. 29

House Bill No. 48

House Bill No. 53

House Bill No. 73

House Bill No. 83

House Concurrent Resolution "C"

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Bill No. 88

Which has been read.

Senator Brant moved that Senate Bill No. 88 be amended as follows:

In line 15 of the printed bill, strike out the word "five" and insert the word "three."

In the same line after the word "percent," strike the period and add the following language "and an additional penalty of two percent on October fifteenth following."

In line 21, strike out the word "three" and insert the word "one."

In line 25, strike out the word "five" and insert the word "two."

Renumber the lines.

Which motion prevailed.

Senator Brant moved that the rules be suspended and that Senate Bill No. 88 be deemed properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 88

ROLL CALL

The question being on the final passage of the Bill, as

amended, the roll was called and there were: ayes, 29; nays, 17; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Leno	Schoeder
Bjorlie	Lynch	Strand
Brant	Nordhougen	Streibel
Braun	Olson, Mountrail	Torno
Bridston	Olson, Barnes	Troxel
Brunsdale	Page	Tuff
Coghlan	Reinke	Wahlund
Flatt	Rue	Wolf
Kamrath	Sandness	Work
Krenz	Schrock	

Those voting in the negative were:

Blume	Lichty	Pyle
Duffy	Mehlhoff	Shure
Feton	Morgan	Solberg
Foss	Nelson, McKenzie	Spiekermeier
Fraser	Nelson, Griggs-	Stucke
Freed	Steele	Welander

Absent and not voting:

Albers	Day	O'Brien
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So the bill passed and the title was agreed to.

Senator Lichty: We have in our State an organization that comes the nearest to representing the taxpayers than any other organization. I call your attention to the State organization of County Commissioners. County Commissioners are highly concerned about taxation. They are concerned also about general welfare of the State. They meet once each year for an annual meeting to exchange ideas concerning taxation and general welfare. This year in January they met at Minot and at these meetings they compose resolutions. Among the recommendations at Minot, I would like to quote the following:

"The convention adopted resolutions favoring re-enactment of the 2c sales tax, increasing the state gasoline tax of 2c a gallon for county roads and state highway construction purposes, continuance of a 5% discount on real property taxes paid prior to February 15th and abolishing the 10% bonus currently paid to County School Superintendents engaged in school re-districting."

And again we should not fail to take into consideration our State Tax Commissioner. He at that same convention recommended the retention of the 5% discount on real estate. He said decisions should be convincing factors for voting against this bill.

Senator Streibel: When the Senator mentions the County Commissioners' Resolution I wonder if he realizes how many of the Commissioners were present when these resolutions were passed. If a commissioners' convention is similar to most conventions, and I think it is, most of them are passed after most of them have gone home. I talked to one that attended this gathering. He said he was there but nearly everyone else had gone home. Therefore, I do not take these resolutions too seriously.

Senate Bill No. 57

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Duffy	Nordhougen	Torno
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Absent and not voting:

Albers	O'Brien	Troxel
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So the bill passed and the title was agreed to.

Senate Bill No. 75

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Absent and not voting:

Albers	O'Brien	Sandness
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So the bill passed and the title was agreed to.

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

Senator Flatt moved that the rules be suspended and that he be permitted to introduce Senate Concurrent Resolution "O," a concurrent resolution relating to the Little Country Theater and congratulating Alfred G. Arvold, the founder, on the forthcoming Thirty-Fifth Anniversary of the founding of the Little Country Theater, and that it be read from the desk, which motion prevailed.

Senator Flatt moved that the rules be suspended and that Senate Concurrent Resolution "O" be adopted as read, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 1, 1949

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "O"

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

W. J. TROUT, Secretary.

Senator Nelson of McKenzie moved that the Senate do now recess for ten minutes, which motion prevailed.

The Senate re-convened pursuant to recess taken, the President presiding.

Senator Streibel requested a call of the Senate.

Senator Sandness moved that the Call of the Senate be dispensed with, which motion prevailed.

The Senate was on the Tenth order of business.

SECOND READING OF SENATE BILLS

Senate Bill No. 86

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Duffy	Steele	Stucke
Feton	Nordhougen	Torno
Flatt	Olson, Barnes	Troxel
Foss	Page	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welanders
Kamrath	Rue	Wolf
Krenz	Schrock	Work
Leno		

Those voting in the negative were:

Bilden Olson, Mountrail

Absent and not voting:

Albers	Day	Sandness
Bridston	O'Brien	

So the bill passed and the title was agreed to.

Senate Bill No. 112

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Duffy	Olson, Mountrail	Torno
Feton	Olson, Barnes	Troxel
Flatt	Page	Tuff
Foss	Pyle	Wahlund
Fraser	Reinke	Welander
Freed	Rue	Wolf
Kamrath	Sandness	Work
Krenz		

Absent and not voting:

Albers	Nordhogen	O'Brien
Day		

So the bill passed and the title was agreed to.

Senator Streibel moved that further action on Senate Bill No. 134, Senate Bill No. 135, and Senate Concurrent Resolution "M" be laid over until printed, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 16. A Bill for an Act to Provide for Tax Levy for Airport Purposes in Cities.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 60. A Bill for an Act Making an Appropriation for the Installation of a Mezzanine Floor, Additional Shelving and an Electric Book Lift in the Law Library of the Supreme Court.

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

House Bill No. 65. 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.

House Bill No. 84. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Funds for the Operation of the State Hail Insurance Department; and Declaring an Emergency.

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

House Bill No. 136. A Bill for an Act to Amend and Reenact Section 57-2226 of the North Dakota Revised Code of 1943, Relating to the Deduction of Personal Property Taxes From Payments From Public Funds.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 142. A Bill for an Act to Amend and Reenact Section 37-1506 of the North Dakota Revised Code

of 1943, Relating to Compensation of Members of Board of Trustees of the Soldiers' Home.

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

House Bill No. 148. A Bill for an Act to Amend and Reenact Section 6-0404 of the North Dakota Revised Code of 1943 Relating to Investments Authorized.

Was read the first time and referred to the Committee on Industry and Business.

House Bill No. 149. A Bill for an Act to Amend and Reenact Section 6-0311 of the North Dakota Revised Code of 1943 Relating to the Conversion of State Banking Associations Into National Banking Associations or the Merger or Consolidation of State Banking Associations With Other State Banking Associations or With National Banking Associations.

Was read the first time and referred to the Committee on Industry and Business.

House Bill No. 150. A Bill for an Act to Amend and Reenact Section 6-0504 of the North Dakota Revised Code of 1943 Relating to Security Deposit Investments Required, and Securities in Which Investment May Be Made.

Was read the first time and referred to the Committee on Industry and Business.

SECOND READING OF HOUSE BILLS

House Bill No. 11

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Bilden	Kamrath	Schrock
Bjorlie	Krenz	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Olson, Mountrail	Torno
Duffy	Olson, Barnes	Troxel
Feton	Page	Tuff
Flatt	Pyle	Wahlund
Foss	Reinke	Welander
Fraser	Rue	Wolf
Freed	Sandness	Work

Absent and not voting:

Albers	Morgan	O'Brien
Leno	Nordhougen	

So the bill passed and the title was agreed to.

House Bill No. 12

Was read the second time.

Senator Day moved that House Bill No. 12 be amended as follows:

"After the end of the title that the period be stricken and a comma inserted and the words "declared an emergency" be added.

Section 6: Emergency. This action is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.", which motion prevailed.

Senator Day moved that the rules be suspended and that House Bill No. 12 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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Krenz	Schoeder
Bjorlie	Leno	Shure
Blume	Lichty	Solberg
Brant	Lynch	Spiekermeier
Braun	Mehlhoff	Strand
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Olson, Mountrail	Stucke
Coghlan	Olson, Barnes	Torno
Day	Page	Troxel
Duffy	Pyle	Tuff
Feton	Reinke	Wahlund
Foss	Rue	Welander
Fraser	Sandness	Wolf
Freed	Schrock	Work
Kamrath		

Absent and not voting:

Albers	Nelson, Griggs-	Nordhougen
Flatt	Steele	O'Brien
Morgan		

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

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 1, 1949.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 30.

GEORGE OLSON, Chief Clerk.

Senator Morgan moved that the special printing committees of the Senate and House be authorized to confer with the State Printing Commission and request the commission to withdraw from the Western Printing Company, which has the contract for printing the Senate and House bills, a sufficient number of these bills to keep the facilities of the Conrad Publishing Company busy from Thursday morning to Monday morning, including Sunday, and that the State Printing Commission enter into an agreement with the Conrad Publishing Company for such work, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 86

House Concurrent Resolution "A"

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

Senator Brunsdale moved that the Senate do now recess until 1:15 P. M., February 2, 1949, which motion prevailed.

W. J. TROUT, Secretary.

TWENTY-NINTH DAY AFTER RECESS
AND THIRTIETH DAY

Bismarck, February 2, 1949

The Senate convened at 1:15 p.m., pursuant to recess taken,
the President presiding.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 2, 1949

Mr. President: I have the honor to transmit:

House Bill No. 52
House Bill No. 97
House Bill No. 108
House Bill No. 116
House Bill No. 126
House Bill No. 132
House Bill No. 133
House Bill No. 134
House Bill No. 145
House Bill No. 147
House Bill No. 155
House Bill No. 167
House Bill No. 168

Which the House has passed and your favorable consid-
eration is requested.

GEORGE OLSON, Chief Clerk.

The Senate was on the 13th Order of Business.

SECOND READING OF HOUSE BILLS

House Bill No. 36

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Solberg
Brant	Mehlhaff	Spiekermeier
Braun	Nelson, McKenzie	Strand
Bridston	Nelson, Griggs-	Streibel
Brunsdale	Steele	Stucke

Coghlan	O'Brien	Torno
Day	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work

Absent and not voting:

Duffy	Morgan	Shure
Krenz	Nordhougen	

So the bill passed and the title was agreed to.

House Bill No. 38

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Those voting in the negative were:

Day		
Absent and not voting:		
Bilden	Nordhougen	Wahlund
Krenz	Shure	

So the bill passed and the title was agreed to.

House Bill No. 40

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 5; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Freed	Reinke
Bilden	Kamrath	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Coghlan	Nelson, Griggs-	Torno
Day	Steele	Tuff

Feton	Nordhougen	Welander
Flatt	O'Brien	Wolf
Foss	Olson, Barnes	Work
Fraser	Pyle	

Those voting in the negative were:

Olson, Mountrail	Solberg	Troxel
Page	Strand	

Absent and not voting:

Duffy	Shure	Wahlund
Krenz		

So the bill passed and the title was agreed to.

House Bill No. 50

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Leno	Rue
Bilden	Lichty	Sandness
Bjorlie	Lynch	Schrock
Blume	Mehlhoff	Schoeder
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Flatt	Shure	Wahlund
Krenz		

So the bill passed and the title was agreed to.

House Bill No. 74

Which has been read.

Senator Morgan moved that House Bill No. 74 be amended as follows:

"After the figure \$264.00 in line 3, strike out the comma and insert "and \$132.00", and after the words "Dennis Duane Crites" in line 4, strike out the comma and add "Patricia Crites", and in line 5, strike out the word "child" and insert the word "children", which motion prevailed.

Senator Morgan moved that the rules be suspended and that House Bill No. 74, be considered properly re-engrossed and placed upon second reading and final passage as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill,

the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work

Absent and not voting:

Krenz Shure

So the bill passed and the title was agreed to.

MOTIONS

Senator Bjorlie moved that he be granted permission to introduce Senate Concurrent Resolution "P", a concurrent resolution declaring October 13th Guadalcanal Day in recognition of the 164th Infantry, North Dakota National Guard Unit, which motion prevailed.

Senate Concurrent Resolution "P" was read the first time.

Senator Bjorlie moved that the rules be suspended and that Senate Concurrent Resolution "P" be placed upon second reading and final passage, which motion prevailed.

SENATE CONCURRENT RESOLUTION "P"

Introduced by Senators Albers and Bjorlie

A Concurrent Resolution Declaring October 13th Guadalcanal Day in recognition of the 164th Infantry, North Dakota National Guard Unit.

1 WHEREAS, the battle for the island of Guadalcanal
2 in World War II marked the turning point of the land war
3 in the Pacific area, and

4 WHEREAS, the 164th Infantry, North Dakota National
5 Guard Unit landed on such island on October 13, 1942 and
6 played a major role in the battle for the island, and

7 WHEREAS, many of the finest young men from North
7a Dakota
8 were lost in the battle for that island,

9 NOW, THEREFORE, BE IT RESOLVED, by the Sen-
9a ate of the

10 State of North Dakota, the House of Representatives
11 concurring therein that in recognition of the heroic
12 efforts made by the living and the sacrifices made by the
13 dead, the anniversary of the 164th Infantry's landing on
14 that island, October 13th, be declared "Guadalcanal Day"
15 and that the governor proclaim the same each year, for
15a such
16 fitting observance as the people of each community shall
17 deem appropriate.

SECOND READING OF SENATE CONCURRENT
RESOLUTION

Senate Concurrent Resolution "P"

ROLL CALL

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

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work

Absent and not voting:

Krenz Shure

So the resolution passed and the title was agreed to.

MOTIONS

Senator Troxel moved that Senate Bill No. 190 be not printed, which motion prevailed.

Senator Morgan moved that the action by which House Bill No. 20 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Day moved that House Bill No. 20 be re-referred to the Committee on Transportation, which motion prevailed.

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

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

W. J. TROUT, Secretary.

THIRTIETH DAY

Bismarck, February 2, 1949

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, Rev. O. O. Andvik of Mandan.

Roll call: All Senators present except Senator Shure.

A quorum was declared present by the President.

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

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

Page 245, line 4, correct the spelling of the word "Engrossment."

Page 246, line 25, correct the spelling of the word "calendar."

Page 256, line 6, correct the spelling of the word "presence."

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

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

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 1
Senate Bill No. 88
Senate Bill No. 99

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 76, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 77, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 78, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 79, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 91, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Social Welfare to whom was referred Senate Bill No. 139, have had the same

under consideration and recommend that the same be indefinitely postponed.

MELVIN OLSON, Chairman.

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

Mr. President: Your Committee on Social Welfare to whom was referred Senate Bill No. 148, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

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

Senator Day moved that further action on the Committee Report on Senate Bill No. 171 be deferred until the bill is printed, which motion prevailed.

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 172, have had the same under consideration and recommend that the same be indefinitely postponed.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 173, have had the same under consideration and recommend that the same be indefinitely postponed.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 174, have had the same under consideration and recommend that the same be indefinitely postponed.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 175, have had the same under consideration and recommend that the same be indefinitely postponed.

G. I. FETON, Chairman.

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

Senator Fetton moved that the rules be suspended and that Senate Bills No. 172, 173, 174 and 175 be not printed, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 200, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 201, have had the same under

consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 202, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 208, have had the same under consideration and recommend that the same be amended as follows:

On line 3, strike out the word "eight" and insert, in lieu thereof, the word "seven".

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 218, have had the same under consideration and recommend that the same be amended as follows:

In the original Bill

In line 7 strike out the word "three" and insert the word "four";

In line 30 strike out the words "its passage and approval" and insert the words "April 1st, 1949".

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 219, have had the same under consideration and recommend that the same be amended as follows:

In the original bill

In line 8, strike out the words "ninety-three" and insert the words "One dollar and twenty-four".

In line 21, strike out the words "its passage and approval" and insert the words "April 1st, 1949".

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 220, 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 "its

passage and approval" and insert the words "April 1st, 1949".

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

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

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 124, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Morgan moved that the amendments to Senate Bill No. 71, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 73 be adopted, which motion prevailed.

Senator Rue moved that the amendments to Senate Bill No. 84 be adopted.

ROLL CALL

The question being on the motion of Senator Rue to adopt the amendments to Senate Bill No. 84, the roll was called and there were ayes, 13; nays, 35; absent and not voting, 1.

Those voting in the affirmative were:

Brant	Duffy	Page
Bridston	Krenz	Rue
Brunsdale	Nelson, Griggs-	Torno
Coghlan	Steele	Troxel
Day	Olson, Barnes	

Those voting in the negative were:

Albers	Lichty	Schoeder
Bilden	Lynch	Solberg
Bjorlie	Mehlhoff	Spiekermeier
Blume	Morgan	Strand
Braun	Nelson, McKenzie	Streibel
Feton	Nordhougen	Stucke
Flatt	O'Brien	Tuff
Foss	Olson, Mountrail	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Sandness	Work
Leno	Schrock	

Absent and not voting:

Shure

So the motion was declared lost.

Senator Feton moved that the amendments to Senate Bill No. 115 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 161 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 195 be adopted, which motion prevailed.

The President called the President Pro Tem to the Chair.

JOURNAL OF THE SENATE

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 2, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 57
Senate Bill No. 75
Senate Bill No. 86
Senate Bill No. 88
Senate Bill No. 112

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

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 2, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 11
House Bill No. 89

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 2, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 12

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 2, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 86
House Concurrent Resolution "A"

Which the President has signed.

W. J. TROUT, Secretary.

SECOND READING OF SENATE BILLS

Senator Streibel moved that Senate Bill No. 134 be moved to the foot of the calendar, which motion prevailed.

Senate Bill No. 135.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 37; nays, 7; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Schoeder
Brant	Lichty	Spiekermeier
Braun	Lynch	Strand
Bridston	Morgan	Streibel
Brunsdale	Nelson, Griggs-	Stucke
Coghlan	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	O'Brien	Tuff
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf

Freed	Pyle	Work
Kamrath	Reinke	

Those voting in the negative were:

Bjorlie	Mehlhaff	Olson, Mountrail
Blume	Nelson, McKenzie	Wahlund
Day		

Absent and not voting:

Flatt	Schrock	Solberg
Sandness	Shure	

So the bill passed and the title was agreed to.
Senate Bill No. 140

Was read the second time.

Senator Lichty moved that Senate Bill No. 140 be referred to the Committee on General Affairs, which motion prevailed.

Senate Bill No. 142

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Solberg
Braun	Mehlhaff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work

Absent and not voting:

Nelson, McKenzie • Shure

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

Senate Bill No. 1

Was read the second time.

Senator Albers and Bjorlie requested to be excused from voting on Senate Bill No. 1 because of a personal interest in said Bill.

Senator Streibel moved that Senators Albers and Bjorlie be excused from voting on Senate Bill No. 1, which motion prevailed.

ROLL CALL

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

Those voting in the affirmative were:

Bilden	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Absent and not voting:

Albers	Morgan	Shure
Bjorlie		

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

Senate Bill No. 94

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 23; nays, 23; absent and not voting, 3.

Those voting in the affirmative were:

Brant	Foss	Pyle
Braun	Freed	Reinke
Bridston	Mehlhoff	Sandness
Brunsdale	Morgan	Schrock
Coghlan	Nelson, Griggs-	Spiekermeier
Day	Steele	Strand
Duffy	Olson, Barnes	Troxel
Flatt	Page	Work

Those voting in the negative were:

Albers	Leno	Streibel
Bilden	Lichty	Stucke
Bjorlie	Lynch	Torno
Blume	Nelson, McKenzie	Tuff
Feton	O'Brien	Wahlund
Fraser	Olson, Mountrail	Welander
Kamrath	Schoeder	Wolf
Krenz	Solberg	

Absent and not voting:

Nordhougen	Rue	Shure
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So the bill was declared lost.

Senate Bill No. 99

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Blume	Lichty	Schoeder
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Flatt	Pyle	Welander
Foss	Reinke	Wolf
Fraser	Rue	Work
Freed		

Those voting in the negative were:

Albers

Absent and not voting:

Bjorlie	Lynch	Schrock
Kamrath	Mehlhoff	Shure
Leno	Page	Troxel

So the bill passed and the title was agreed to.

Senate Bill No. 136

Was 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, 5; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Blume	Lichty	Schoeder
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Bridston	Steele	Streibel
Brunsdale	Nordhougen	Stucke
Coghlan	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Those voting in the negative were:

Bjorlie	Nelson, McKenzie	Wahlund
Flatt	Solberg	

Absent and not voting:

Day	Mehlhoff	Shure
Lynch	Schrock	

So the bill passed and the title was agreed to.

Senator Streibel moved that action on Senate Bill No. 145, No. 151, and Senate Concurrent Resolution "M" be deferred until the bills are printed, which motion prevailed.

Senate Bill No. 160

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll

was called and there were: ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schoeder
Brant	Lynch	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Those voting in the negative were:

Albers

Absent and not voting:

Mehlhoff Schrock Shure

So the bill passed and the title was agreed to.

Senate Bill No. 162

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness
Bjorlie	Leno	Schoeder
Blume	Lichty	Solberg
Brant	Lynch	Spiekermeier
Braun	Morgan	Strand
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nelson, Griggs-	Stucke
Coghlan	Steele	Torno
Day	Nordhougen	Troxel
Duffy	O'Brien	Tuff
Feton	Olson, Mountrail	Wahlund
Flatt	Olson, Barnes	Welander
Foss	Page	Wolf
Fraser	Pyle	Work
Freed	Reinke	

Absent and not voting:

Mehlhoff Schrock Shure

So the bill passed and the title was agreed to.

Senator Wahlund moved that after the reading of Senate Bills Nos. 99, 136, 146, 160, 162, 192, 221, 222, Senate Concurrent Resolution "K," Senate Concurrent Resolution "L," the Senate recess for ten minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President Pro Tem presiding.

The Senate was on the eighth order of business.

Senator Krenz moved that Senate Bill No. 134 be laid over one Legislative day, which motion prevailed.

The Senate was on the tenth order of business.

Senator Streibel moved that action on Senate Bills No. 146 and No. 192 be deferred until the bills are printed, which motion prevailed.

Senate Bill No. 221

Was read the second time.

Senator Nordhougen moved that Senate Bill No. 221 be amended as follows:

In line 5 of the printed bill after the word "of" insert the words "one million."

Senator Nordhougen requested a call of the Senate which was granted.

Senator Brunsdale moved that Senator Shure be excused, which motion prevailed.

Senator Streibel moved that the call of the Senate be dispensed with, which motion prevailed.

ROLL CALL

The question being on the motion of Senator Nordhougen to amend Senate Bill No. 221, the roll was called and there were ayes, 26; nays, 22; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Lichty	Solberg
Bilden	Lynch	Spiekermeier
Bjorlie	Nelson, McKenzie	Streibel
Blume	Nordhougen	Stucke
Coghlan	O'Brien	Tuff
Feton	Olson, Mountrail	Wahlund
Fraser	Page	Welander
Kamrath	Schrock	Wolf
Leno	Schoeder	

Those voting in the negative were:

Brant	Freed	Reinke
Braun	Krenz	Rue
Bridston	Mehlhoff	Sandness
Brunsdale	Morgan	Strand
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Flatt	Olson, Barnes	Work
Foss	Pyle	

Absent and not voting:

Shure

So the motion was declared carried.

Senator Nordhougen moved that the rules be suspended and that Senate Bill No. 221 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion was declared lost for lack of a two-thirds majority.

Senate Bill No. 222

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, McKenzie	Strand
Bridston	Nelson, Griggs-	Streibel
Brunsdale	Steele	Stucke
Coghlan	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Those voting in the negative were:

Day	Flatt	Page
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Absent and not voting:

Shure

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

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 2, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 12.

GEORGE OLSON, Chief Clerk.
House Chamber
Bismarck, February 2, 1949

Mr. President: I have the honor to return:

Senate Concurrent Resolution "D"

Which the House has amended as follows:

In line one of the title strike out the word "urging" and insert in lieu thereof the word "directing."

In line 17, strike out "respectfully urge" and insert in lieu thereof the word "direct".

In line 19, strike out "continue to make and to".

In line 36, after the first "the" insert a comma and add the following: "governor, the".

GEORGE OLSON, Chief Clerk.
House Chamber
Bismarck, February 2, 1949

Mr. President: I have the honor to transmit:

House Bill No. 30

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

Senator Brunsdale moved that a committee of one be appointed to make arrangements with the proprietor of the lunch room that the Senate be permitted to have their

afternoon coffee at 3:15 p.m., if it is agreeable to the House, and the House have their coffee at 3:30, and if this time is not satisfactory that he be given authority to make whatever arrangements that he can, which motion prevailed.

The President Pro Tem appointed as such Committee, Senator Strand.

Senator Brunsdale moved that the Senate do now recess until 1:15 p.m., February 3, 1949, which motion prevailed.

W. J. TROUT, Secretary.

**THIRTIETH DAY AFTER RECESS
AND THIRTY-FIRST DAY**

Bismarck, February 3, 1949

The Senate convened at 1:15 P. M., pursuant to recess taken, the President presiding.

· **MESSAGES TO THE HOUSE**

Senate Chamber

Bismarck, February 3, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1
Senate Bill No. 99
Senate Bill No. 135
Senate Bill No. 136
Senate Bill No. 142
Senate Bill No. 160
Senate Bill No. 162
Senate Bill No. 222
Senate Concurrent Resolution "P"

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

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 3, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 36
House Bill No. 38
House Bill No. 40
House Bill No. 50

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 3, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 74

Which the Senate has amended.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 3, 1949

Mr. President: I have the honor to transmit:

House Bill No. 8
House Bill No. 11
House Bill No. 27
House Bill No. 29
House Bill No. 48
House Bill No. 53
House Bill No. 73
House Bill No. 83
House Bill No. 89
House Concurrent Resolution "C"

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 3, 1949

Mr. President: I have the honor to transmit:

House Bill No. 9
House Bill No. 119
House Bill No. 135
House Bill No. 137
House Bill No. 140
House Bill No. 154
House Bill No. 156
House Bill No. 161
House Bill No. 172
House Bill No. 173

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

GEORGE OLSON, Chief Clerk.

The Senate was on the tenth order of business.

SECOND READING OF SENATE BILLS

Senate Bill No. 145

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Krenz	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeyer
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nelson, Griggs-	Stucke
Coghlan	Steele	Torno
Day	Nordhogen	Troxel
Duffy	O'Brien	Tuff
Feton	Olson, Barnes	Wahlund
Flatt	Page	Welanders
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Sandness	

Absent and not voting:

Bilden	Leno	Rue
Foss	Olson, Mountrail	Strand

So the bill passed and the title was agreed to.

Senate Bill No. 146

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Lichty	Sandness
Bjorlie	Lynch	Schrock
Blume	Mehlhoff	Schoeder
Brant	Morgan	Shure
Braun	Nelson, McKenzie	Solberg
Bridston	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Streibel
Day	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Absent and not voting:

Bilden	Leno	Strand
Brunsdale		

So the bill passed and the title was agreed to.

Senate Bill No. 151

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Lichty	Sandness
Bjorlie	Lynch	Schrock
Blume	Mehlhoff	Schoeder
Brant	Morgan	Shure
Braun	Nelson, McKenzie	Solberg
Bridston	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Streibel
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Brunsdale	Strand	Stucke
Leno		

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

Senate Concurrent Resolution "K"

Which has been read.

ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 26; nays, 21; absent and not voting, 2.

Those voting in the affirmative were:

Brant	Kamrath	Reinke
Brunsdale	Krenz	Rue
Coghlan	Lichty	Schoeder
Day	Nelson, Griggs-	Shure
Duffy	Steele	Spiekermeier
Feton	O'Brien	Strand
Flatt	Olson, Barnes	Stucke
Foss	Page	Troxel
Freed	Pyle	Work

Those voting in the negative were:

Albers	Mehlhoff	Solberg
Bilden	Morgan	Streibel
Bjorlie	Nelson, McKenzie	Torno
Blume	Nordhougen	Tuff
Bridston	Olson, Mountrail	Wahlund
Fraser	Sandness	Welder
Lynch	Schrock	Wolf

Absent and not voting:

Braun Leno

So the Resolution passed and the title was agreed to.

Senator Stucke changed his vote from nay to aye for the purpose of reconsideration.

Senator Bridston rose to a point of special privilege, which privilege was granted.

Senator Bridston:

As one of four sponsors of Senate Bill 84, known as the State Cement Plant Bill, it has been interesting to observe the public and legislative reaction to this proposal. The very few scathing criticisms came primarily from people who believe that the only proper function of government is policing. A few have lifted their eyebrows and mentioned politics. Most citizens of North Dakota are sincerely interested in the development of all its resources, and at state expense, if necessary.

Years ago a small privately operated cement plant at Concrete, North Dakota was closed down due to a lack of proper ingredients to manufacture so called Portland cement. Later the state of South Dakota built its own cement plant, which has operated successfully. North Dakota's Research Foundation under Dr. Alex Burr assisted by Dr. W. L. Laird, state geologist of the University, has made a preliminary study of the feasibility of establishing a Portland cement industry here.

My name appears as a sponsor of Senate Bill 84 because I firmly believe that it is the duty of our state to help develop and promote our natural resources. Our bill directs the Research Foundation to complete its cement study and if it concludes that it is commercially feasible, gives our industrial commission the power to float bonds and establish a state-owned plant. This is permissive legislation only. The industrial commission may, and most likely would, investigate the possibilities of private capital establishing a cement industry in our state. The industrial commission could and probably would submit the findings of the Research Foundations with or without recommendation to the 32nd Legislative Assembly in 1951.

In passing, let me say I oppose any and all legislation endeavoring to put the State of North Dakota into any business that will compete with an established industry within our state that is not an uncontrolled and unfair monopoly. A state cement plant would be a new non-competitive industry as far as North Dakota is concerned and which nationally has been pictured pretty much of a monopoly and a cartel by the Supreme Court.

Your Committee on Industry and Business, of which I am a member, has listened attentively to two long hearings on this cement bill. In executive session the bill was amended whereby the Research Foundation would report to the 32nd Legislative Assembly rather than to the Industrial Commission and in this way relieve the Industrial Commission of the responsibility of decision. The portion of the bill setting up the legal and financial machinery is unnecessary under this change. This amendment was adopted without a single "no" vote, though one member who opposes the bill in its entirety stated before this body, that he did not vote on the amendment at all. A proposed amendment to strike out the words "state-owned" was defeated in committee.

When the Committee report came before this body a movement led by Senator Flatt, one of the co-sponsors to reject was defeated decisively with all the members of the minority faction and most members of the majority faction voting to accept the committee report. Senator Flatt's remarks to the effect that the proposed amendments would kill the bill was printed in the Senate Journal. I, for one, termed this allegation as based on an entirely false conclusion. Senator Duffy, our colleague and a very able attorney, questioned the constitutionality of giving the industrial commission this authority.

Today when the adoption of the amendment was before this body, a record of the vote was asked for and the claim was again repeated that the amendment would kill the bill. Today the Senate surprisingly refused to accept the amendment as many members changed their vote from yesterday and the answer is simple—they did not want to be on record as being opposed to the measure in view of the allegations and challenge issued by our colleague from Ransom County.

I rise to a point of personal privilege, Mr. President, to again emphatically voice my objection to his allegations, his conclusion and challenge. In my humble opinion, his allegations are not a true reflection of testimony given before the committee. His conclusions are wrong and his challenge somewhat political. The heart of this bill consists of directing the Research Foundation to exhaust all means necessary to make a thorough study and survey of the possibilities of establishing a profitable cement industry in this state. They can and will call on outside engineering and industrial assistance. The amendment simply leaves the final decision with the Legislature in 1951 rather than with the three elected public officials on the industrial commission. I repeat, this is not the important issue. As our good colleague, Senator William Braun from the "Garden of Eden" would say, "it is irrelevant and immaterial."

Senate Bill 84 is now before the Appropriations Committee.

Members of this Committee have pledged to give the Research Foundation all the money it needs to make a thorough and exhaustive study and survey. I repeat that this is the only thing that is important. The people of North Dakota are much less interested in the political angles involved than in the intelligent development of our natural resources.

Senator Flatt: I want my remarks recorded in the Journal. I do not have them written because I have not spent 24 hours in preparing them. I don't know if I have ever told a lie or misrepresented anything in any respect to this Senate body, and if I have it was certainly found out before the expiration of 24 hours. I told this Senate body yesterday that if that amendment was passed the bill was killed. I think that 46 or 47 of us can read and write and can understand what we see and evidently their vote agreed with my thinking.

Senator Streibel: Ordinarily I do not object when someone rises to a point of special privilege. When, however, someone abuses this privilege to the extent where he uses the time in order to debate a bill that is not properly before the Senate as did Senator Bridston, then I say he is entirely out of order. Should we all resort to such tactics we could not complete our business by the 4th of July.

Senator Bridston: I want to assure the Senator from Ransom that it was not my intention to even suggest that he was lying. I intended to convey the impression that his statement was based on a false conclusion. With the permission of the Senate I will correct the copy given to our desk reporter so there will be no misunderstanding on this point.

In answer to the Senator from Wells County it is my impression that Senate Bill 84 which was re-referred to the Senate Committee on Appropriations is properly before the Senate.

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

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

W. J. TROUT, Secretary.

THIRTY-FIRST DAY

Bismarck, February 3, 1949

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, Rev. Roy Wiegand of Bismarck. Roll call: All Senators present.

A quorum was declared present by the President.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-ninth day after Recess and Thirtieth day and recommend that the same be corrected as follows:

Page 261, line 6, strike out the word "bill" and insert in lieu thereof the word "resolution."

Page 261, line 28, strike out the word "bill" and insert in lieu thereof the word "resolution."

Page 270, line 57, correct the spelling of the word "eighth."

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

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

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 71
Senate Bill No. 73
Senate Bill No. 84
Senate Bill No. 115
Senate Bill No. 161
Senate Bill No. 195
Senate Bill No. 221

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 114, have had the same under consideration and recommend that the same be amended as follows:

Lines 219 and 220 in the printed bill following the word "and" strike out the following language: "when a district is situated in two or more counties,";

Line 450 following the word "flood" insert the word "control";

Lines 492 and 493 following the word "and" strike out the following language: "without additional fee or charge";

Line 504 strike out the word "commissions" and insert in lieu thereof the word "commissioners";

And renumber the lines where necessary.

And when so amended recommend the same do pass.

Wm. J. BRAUN, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 124, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 125, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on Veterans' Affairs to whom was referred Senate Bill No. 126, have had the same under consideration and recommend that the same do pass.

REINHART KRENZ, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 138, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 147, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 149, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 3, strike out the word "or", insert a comma, and after the words "rye grass" insert the words "or other suitable grasses";

In Section 2, line 13, strike out the word "or", insert a comma, and after the words "rye grass" insert the words "or other suitable grasses."

And when so amended recommend the same do pass.

W. H. SHURE, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 155, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 156, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 158, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 8, after the word "lines" strike the comma and insert the following: "if approved by the Public Service Commission and";

Section 3, line 22, after the word "lines" strike out the words "an annual" and insert the word "reasonable", and in the same line after the word "rental" strike out the words "of ten cents per pole" and insert the following: "as determined by the Public Service Commission."

Re-number the lines.

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 168, have had the same under consideration and recommend that the same be amended as follows:

In the original bill after line 41, insert the following:

SECTION 3. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And correct the title.

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 171, have had the same under consideration and recommend that the same be amended as follows:

On line 13, after the word "chapter" add the following sentence:

"Any defendant having pleaded guilty without the advice of counsel shall, within thirty days thereafter, upon application of his attorney, be entitled to have any judgment entered on such plea vacated and a new trial granted."

Renumber the lines.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 179, have had the same under consideration and recommend that the same do pass.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 183, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 187, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 193, have had the same

under consideration and recommend that the same be indefinitely postponed.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 198, have had the same under consideration and recommend that the same be re-referred to the Committee on Transportation.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 199, have had the same under consideration and recommend that the same be re-referred to the Committee on Transportation.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 203, have had the same under consideration and recommend that the same be re-referred to the Committee on Transportation.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 210, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 224, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on Veterans' Affairs to whom was referred House Bill No. 98, have had the same under consideration and recommend that the same do pass.

REINHART KRENZ, Chairman.

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

Mr. President: Your Committee on Veterans' Affairs to whom was referred House Bill No. 142, have had the same under consideration and recommend that the same do pass.

REINHART KRENZ, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Day moved that the amendments to Senate Bill No. 208 be adopted, which motion prevailed.

Senator Brant moved that the amendments to Senate Bill No. 218 be adopted, which motion prevailed.

Senator Brant moved that the amendments to Senate Bill No. 219 be adopted, which motion prevailed.

Senator Brant moved that the amendments to Senate Bill No. 220 be adopted, which motion prevailed.

REPORT OF SELECT COMMITTEES

Senator Strand: I have contacted the lunch room and also the House and it is very satisfactory to them, starting tomorrow, that we recess at 3:15 p. m., and the House recess at 3:30 p.m. That will give them time to clear the room so that we won't interfere with each other. Starting tomorrow that will be in operation.

SECOND READING OF SENATE BILLS
AND RESOLUTIONS

Senate Concurrent Resolution "L"

Which has been read.

ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 22; nays, 27; absent and not voting, 0.

Those voting in the affirmative were:

Brant	Krenz	Reinke
Coghlan	Mehlhoff	Rue
Day	Nelson, Griggs-	Schoeder
Duffy	Steele	Shure
Feton	O'Brien	Spiekermeier
Flatt	Olson, Barnes	Troxel
Foss	Page	Work
Freed	Pyle	

Those voting in the negative were:

Albers	Leno	Solberg
Bilden	Lichty	Strand
Bjorlie	Lynch	Streibel
Blume	Morgan	Stucke
Braun	Nelson, McKenzie	Torno
Bridston	Nordhougen	Tuff
Brunsdale	Olson, Mountrail	Wahlund
Fraser	Sandness	Welander
Kamrath	Schrock	Wolf

So the Resolution was declared lost.

Senator Nordhougen moved that Senate Bill No. 161 and Senate Bill No. 221 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 161

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work

Absent and not voting:

Nelson, Griggs-
Steele

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

Senator Nordhougen moved that the vote by which Senate Bill No. 161 was passed be reconsidered and the motion to reconsider be laid on the table:

Which motion prevailed.

Senate Bill No. 221

Was read the second time.

AMENDMENT TO SENATE BILL 221

Senator Brunsdale moved that Senate Bill No. 221 be amended as follows:

"In line 7, after the word "commission" insert the following language: "In three installments as follows:" and after the colon insert the figure "\$500,000.00."

At the end of line 9 strike out the period after the word "dollars" and insert the following language: "\$500,000.00 on July 1st in the year following and \$500,000.00 on July 1st of the second year following."

Which motion prevailed.

Senator Brunsdale moved that Senate Bill No. 221 be deemed properly re-engrossed and placed upon second reading and final passage as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Schrock
Bilden	Leno	Schoeder
Bjorlie	Lichty	Shure
Blume	Lynch	Solberg
Brant	Mehlhoff	Spiekermeier
Braun	Morgan	Strand
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nordhougen	Stucke

Coghlan	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath	Sandness	

Those voting in the negative were:

Day

Absent and not voting:

Nelson, Griggs-
Steele

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

Senator Nordhougen moved that the vote by which Senate Bill No. 221 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 76

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhoff	Strand
Bridston	Morgan	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Coghlan	O'Brien	Torno
Day	Olson, Mountrail	Troxel
Duffy	Olson, Barnes	Tuff
Feton	Page	Wahlund
Flatt	Pyle	Welander
Foss	Reinke	Wolf
Fraser	Rue	Work
Freed		

Absent and not voting:

Nelson, Griggs- Nordhougen Spiekermeier
Steele

So the bill passed and the title was agreed to.

Senate Bill No. 71

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Kamrath	Sandness
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Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Morgan	Strand
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nordhougen	Stucke
Coghlan	O'Brien	Troxel
Day	Olson, Mountrail	Tuff
Duffy	Olson, Barnes	Wahlund
Feton	Page	Welander
Foss	Pyle	Wolf
Fraser	Reinke	Work
Freed	Rue	

Absent and not voting:

Flatt	Nelson, Griggs-	Spiekermeier
Mehlhoff	Steele	Torno

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 3, 1949

Mr. President: I have the honor to return:

Senate Concurrent Resolution "P"

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 3, 1949

Mr. President: I have the honor to transmit:

House Concurrent Resolution "R"

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

GEORGE OLSON, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 3, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 161

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

W. J. TROUT, Secretary.

Senator Stucke moved that after the reading of Senate Bills No. 73, 77, 78, 79, 91, 115, 134, 148, 195 and 200, the Senate recess for ten minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

The Senate was on the 10th order of business.

SECOND READING OF SENATE BILLS

Senate Bill No. 73

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were: ayes, 35; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Bilden	Freed	Schoeder
Bjorlie	Krenz	Solberg
Blume	Leno	Spiekermeier
Brant	Lichty	Strand
Braun	Lynch	Stucke
Bridston	Morgan	Torno
Brunsdale	Nelson, McKenzie	Tuff
Duffy	Olson, Mountrail	Wahlund
Feton	Page	Welander
Flatt	Pyle	Wolf
Foss	Reinke	Work
Fraser	Sandness	

Absent and not voting:

Albers	Nelson, Griggs-	Rue
Coghlan	Steele	Schrock
Day	Nordhougen	Shure
Kamrath	O'Brien	Streibel
Mehlhoff	Olson, Barnes	Troxel

So the bill passed and the title was agreed to.

Senate Bill No. 77

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Albers	Fraser	Sandness
Bilden	Freed	Schoeder
Bjorlie	Krenz	Solberg
Blume	Leno	Spiekermeier
Brant	Lichty	Strand
Braun	Lynch	Stucke
Bridston	Morgan	Torno
Brunsdale	Nelson, McKenzie	Tuff
Day	O'Brien	Wahlund
Duffy	Olson, Mountrail	Welander
Feton	Page	Wolf
Flatt	Pyle	Work
Foss	Reinke	

Absent and not voting:

Coghlan	Nordhougen	Shure
Kamrath	Olson, Barnes	Streibel
Mehlhoff	Rue	Troxel
Nelson, Griggs-	Schrock	
Steele		

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

Senate Bill No. 78

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 35; nays, 4; absent and not voting, 10.

Those voting in the affirmative were:

Albers	Fraser	Page
Bilden	Freed	Pyle
Bjorlie	Kamrath	Reinke
Blume	Krenz	Sandness
Brant	Leno	Schoeder
Braun	Lichty	Spiekermeier
Bridston	Lynch	Stucke
Brunsdale	Morgan	Torno
Duffy	Nelson, McKenzie	Wahlund
Feton	Nelson, Griggs-	Welander
Flatt	Steele	Wolf
Foss	O'Brien	Work

Those voting in the negative were:

Day	Solberg	Tuff
Olson, Mountrail		

Absent and not voting:

Coghlan	Rue	Strand
Mehlhoff	Schrock	Streibel
Nordhougen	Shure	Troxel
Olson, Barnes		

So the bill passed and the title was agreed to.

Senate Bill No. 79

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Kamrath	Sandness
Bjorlie	Krenz	Schrock
Blume	Leno	Schoeder
Brant	Lichty	Solberg
Braun	Lynch	Spiekermeier
Bridston	Mehlhoff	Strand
Brunsdale	Morgan	Stucke
Day	Nelson, McKenzie	Torno
Duffy	Nelson, Griggs-	Tuff
Feton	Steele	Wahlund
Flatt	O'Brien	Welander
Foss	Page	Wolf
Fraser	Pyle	Work
Freed	Reinke	

Those voting in the negative were:

Albers	Olson, Mountrail
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Absent and not voting:

Coghlan	Rue	Streibel
Nordhougen	Shure	Troxel
Olson, Barnes		

So the bill passed and the title was agreed to.

Senate Bill No. 91

Was 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, 2; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Kamrath	Sandness
Bjorlie	Krenz	Schrock
Blume	Leno	Schoeder
Brant	Lichty	Solberg
Braun	Lynch	Spiekermeier
Bridston	Mehlhoff	Strand
Brunsdale	Morgan	Stucke
Day	Nelson, McKenzie	Torno
Duffy	Nelson, Griggs-	Troxel
Feton	Steele	Tuff
Flatt	O'Brien	Wahlund
Foss	Olson, Mountrail	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work

Those voting in the negative were:

Albers Page

Absent and not voting:

Coghlan	Olson, Barnes	Shure
Nordhougen	Rue	Streibel

So the bill passed and the title was agreed to.

Senate Bill No. 115

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were: ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Sandness	

Those voting in the negative were:

Albers

Absent and not voting:

Coghlan	Nordhougen	Streibel
Mehlhoff	Rue	

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

Senate Bill No. 134

Was read the second time.

Senator Duffy moved that Senate Bill No. 134 be amended as follows:

At the end of Section 3 the following words be inserted making a new sentence: "Provided, however, that no levy in excess of one-half of one mill shall be made under any election held prior to the passage and approval of this act.", which motion prevailed.

Senator Duffy moved that the rules be suspended and that Senate Bill No. 134 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 4; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Shure
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Stucke
Coghlan	Steele	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Sandness	

Those voting in the negative were:

Albers	Flatt	Solberg
Day		

Absent and not voting:

Bjorlie	Nordhougen	Streibel
Leno	Rue	

So the bill passed and the title was agreed to.

Senator Olson of Barnes moved that Senate Bill No. 148 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 195

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	O'Brien	Troxel

Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Bridston	Rue	Streibel
Nordhougen		

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

Senate Bill No. 200

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Bridston	Rue	Streibel
Nordhougen		

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Flatt moved that the Senate do concur in the House amendment to Senate Concurrent Resolution "D", which motion prevailed.

Senator Flatt moved that Senate Concurrent Resolution "D" be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS AND CONCURRENT RESOLUTION

Senate Concurrent Resolution "D"

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, as amended by the House, the roll was called and there were ayes, 38; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Kamrath	Schrock
Bilden	Krenz	Schoeder
Bjorlie	Leno	Shure
Blume	Lichty	Solberg
Brant	Lynch	Spiekermeier
Bridston	Mehlhoff	Strand
Brunsdale	Nelson, McKenzie	Stucke
Coghlan	O'Brien	Torno
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Sandness	

Those voting in the negative were:

Braun	Morgan	Page
Day	Nelson, Griggs-	Troxel
Duffy	Steele	Work

Absent and not voting:

Nordhougen	Rue	Streibel
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So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

February 3, 1949

Members of the Senate
Thirty-First Legislative Assembly
Senate Chambers
Bismarck, North Dakota

Gentlemen:

Today I have approved Senate Bill Number 83.

This bill has been filed with the Secretary of State.

Sincerely yours,

Fred G. Aandahl
Governor

FGA:ah

FIRST READING OF HOUSE BILLS AND
HOUSE CONCURRENT RESOLUTION

House Bill No. 9. A Bill for an Act to Amend and Re-enact Section 43-1012 of the North Dakota Revised Code of 1943, Relating to Examination for License to Practice Embalming or Preparing Dead Human Bodies for Burial or Shipment.

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

House Bill No. 52. A Bill for an Act Regulating Vehicles Transporting Explosives on the Highways of This State and Prescribing a Penalty.

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

House Bill No. 97. A Bill for an Act to Amend and Re-enact Section 6-0913 of the North Dakota Revised Code of 1943, and Declaring an Emergency.

Was read the first time and referred to the Committee on Industry and Business.

House Bill No. 108. A Bill for an Act to Amend and Reenact Sections 27-0305, 27-0306, Subsection 1 of Section 11-1704, 11-1705, 27-0740 and 27-0741 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Filing Fees in the Supreme, District and County Courts; Repealing Section 27-1208 of the 1947 Supplement to the North Dakota Revised Code of 1943 and Declaring an Emergency.

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

House Bill No. 116. A Bill for an Act to Amend and Reenact Section 11-1414 of the North Dakota Revised Code of 1943, Relating to County Treasurer's Reports of Disbursements to School Districts.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 119. A Bill for an Act to Amend and Reenact Section 15-2515 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Clerks of School Boards in Common School Districts.

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

House Bill No. 126. A Bill for an Act to Amend and Reenact Section 65-0109 of the North Dakota Revised Code of 1943, Relating to Injury Through Negligence of Third Person.

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

House Bill No. 132. A Bill for an Act to Permit a Surviving Husband or Wife to Dissent From Terms of a Will, and to Elect to Inherit Under Laws of Succession.

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

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 43-1538 of the North Dakota Revised Code of 1943, Relating to Renewal of Permits for the Operation or Maintenance of Pharmacies in This State, Failure to Make Application for Renewal of Permits Within Prescribed Time, Imposing a Penalty for Such Failure; and Declaring an Emergency.

Was read the first time and referred to the Committee on Industry and Business.

House Bill No. 134. A Bill for an Act to Amend and Re-enact Section 43-1534 of the North Dakota Revised Code of 1943, Relating to Operation of Pharmacy, Permit Required, Application and Fee; and Declaring an Emergency.

Was read the first time and referred to the Committee on Industry and Business.

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 43-1537 N. D. R. C. of 1943, Relating to Permits for the Operation of Drug Stores, Fixing the Fee for Such Permit; and Declaring an Emergency.

Was read the first time and referred to the Committee on Industry and Business.

House Bill No. 137. A Bill for an Act Authorizing the Transfer and Conveyance of Certain Lands Held by the State of North Dakota for the Use and Benefit of the State Historical Society by the State Historical Society to the State of North Dakota for the Use and Benefit of the State Game and Fish Commissioner in Exchange for Lands of the State of North Dakota Held for the Use and Benefit of the State Game and Fish Commissioner by the State Game and Fish Commissioner, and Authorizing Said Commissioner to Make the Necessary Transfer and Conveyance to Effect Such Exchange.

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

House Bill No. 140. A Bill for an Act to Amend and Reenact Section 15-2206 of the North Dakota Revised Code of 1943, Relating to Appointment and Salary of Deputy County Superintendents of Schools.

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

House Bill No. 145. A Bill for an Act to Amend and Reenact Section 15-4211 of the North Dakota Revised Code of 1943, Relating to Selection and Determination of Salaries, Expenses and Mileage of the Principal, Teachers and Other Employees of County Agricultural and Training Schools.

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

House Bill No. 147. A Bill for an Act to Permit a Levy of One Mill in Excess of Other Levies Permitted by Law To Be Made by Counties Maintaining County Agricultural and Training Schools for Building Funds for Such Schools.

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

House Bill No. 154. A Bill for an Act Legalizing and Validating Contracts by Cities for the Construction of Improvements and the Sale of Special Improvement Warrants to Finance the Costs Thereof, Notwithstanding Omission of Cash Basis Provision in Call for Bids or Omission of Notice of Meeting for Considering and Acting Upon Bids, and Declaring an Emergency.

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

House Bill No. 155. A Bill for an Act to Amend and Reenact Section 43-0118 of the North Dakota Revised Code of 1943, Relating to Abstractor Fees and Declaring an Emergency.

Was read the first time and referred to the Committee on Industry and Business.

House Bill No. 156. A Bill for an Act to Amend and Reenact Section 15-4715 of the North Dakota Revised Code of 1943, Relating to School Contracts.

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

House Bill No. 161. A Bill for an Act to Amend and Reenact Section 5-0123 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Hours of Sale of

Alcoholic Beverages and Providing a Penalty for Violation Thereof.

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

House Bill No. 167. A Bill for an Act Relating to Holiday Bank Transactions.

Was read the first time and referred to the Committee on Industry and Business.

House Bill No. 168. A Bill for an Act to Amend and Reenact Section 15-2207 of the North Dakota Revised Code of 1943, Relating to Clerks and Assistants, Office and Supplies for the County Superintendent of Schools.

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

House Bill No. 172. A Bill for an Act to Repeal Section 28-2709 and Section 33-1107 of the North Dakota Revised Code of 1943, Relating to Undertaking for Costs on Appeal From the District Court to the Supreme Court, and Undertaking for Costs on Appeal From Justice Court to the District Court.

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

House Bill No. 173. A Bill for an Act to Amend and Reenact Section 27-0912 of the North Dakota Revised Code of 1943, Relating to New Names Supplied for List of Names of Persons Qualified as Jurors After Each Jury Term.

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

House Concurrent Resolution "R." A Concurrent Resolution Extending an Invitation to the President of the United States.

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

SECOND READING OF HOUSE BILLS

House Bill No. 14

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Stucke
Coghlan	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Brant	Pyle	Shure
Day	Rue	Streibel
Nordhougen		

So the bill passed and the title was agreed to.

House Bill No. 28

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Solberg
Braun	Lynch	Spiekermeier
Bridston	Mehlhoff	Strand
Brunsdale	Morgan	Streibel
Coghlan	Nelson, McKenzie	Stucke
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Reinke	Work

Absent and not voting:

Brant	Pyle	Shure
Nordhougen	Rue	

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

House Bill No. 39

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Kamrath	Reinke
Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Braun	Lynch	Solberg
Bridston	Mehlhoff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Pyle	Work

Absent and not voting:

Brant	Rue	Stucke
Nordhougen	Shure	

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

House Bill No. 95

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were: ayes, 38; nays, 4; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Kamrath	Reinke
Bjorlie	Krenz	Sandness
Blume	Lichty	Schrock
Braun	Lynch	Schoeder
Bridston	Mehlhoff	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Strand
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	O'Brien	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf

Those voting in the negative were:

Albers	Olson, Mountrail	Streibel
Leno		

Absent and not voting:

Brant	Rue	Stucke
Flatt	Shure	Work
Nordhougen		

So the bill passed and the title was agreed to.

House Bill No. 124

Was read the second time.

Senator Albers moved that House Bill No. 124 be amended as follows:

In line 20, strike out the figures "\$50.00" and insert in lieu thereof the figures "\$10.00," and in line 23 after the word "convicted" add the words "of more than one offense."

Senator Flatt moved that the amendment to House Bill No. 124 be laid on the table, which motion was declared lost.

Senator Streibel asked for a division of the amendment, which division was granted.

The question being on the motion of Senator Albers to amend House Bill No. 124 as follows: in line 20, strike out the figures "\$50.00" and insert in lieu thereof the figures "\$10.00," which motion prevailed.

The question being on the motion of Senator Albers to amend House Bill No. 124 as follows: "In line 23 after the word "convicted" add the words "of more than one offense," which motion was declared lost.

Senator Albers moved that the rules be suspended and that House Bill No. 124 be deemed properly re-engrossed and

placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were: ayes, 36; nays, 8; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Solberg
Bridston	Lynch	Spiekermeier
Brunsdale	Mehlhoff	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Reinke	Wolf
Freed		

Those voting in the negative were:

Braun	O'Brien	Tuff
Flatt	Page	Work
Morgan	Pyle	

Absent and not voting:

Brant	Rue	Stucke
Nordhougen	Shure	

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 3, 1949

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Concurrent Resolution "D".

W. J. TROUT, Secretary.

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

W. J. TROUT, Secretary.

THIRTY-SECOND DAY

Bismarck, February 4, 1949

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

Prayer by the Chaplain, Rev. Roy Wiegand, of Bismarck.

Roll call: All Senators present except Senators Bilden, Nordhougen, Shure and Wahlund.

A quorum was declared present by the President.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirtieth day after recess and Thirty-first day and recommend that the same be corrected as follows:

Page 277, line 20, strike out the word "of" between the words "Committee" and "Industry" and insert in lieu thereof the word "on."

Page 278, line 24, strike out the word "killed" and insert in lieu thereof the word "passed."

Page 285, after line 21 insert line 17.

Page 286, line 42, correct the spelling of the word "after."

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

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

MESSAGE TO THE SECRETARY OF STATE

Senate Chamber
Bismarck, February 4, 1949

Honorable Thomas Hall,
Secretary of State,
State Capitol,
Bismarck, North Dakota.

Dear Mr. Hall:

I herewith transmit, for filing in your office, properly executed Oath of Office forms for the Senate employees of the 31st Legislative Assembly.

Respectfully yours,

W. J. TROUT, Secretary.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 4, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 145
 Senate Bill No. 71
 Senate Bill No. 73
 Senate Bill No. 76
 Senate Bill No. 77
 Senate Bill No. 78
 Senate Bill No. 79
 Senate Bill No. 91
 Senate Bill No. 115
 Senate Bill No. 146
 Senate Bill No. 151
 Senate Bill No. 195
 Senate Bill No. 200
 Senate Bill No. 221

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

W. J. TROUT, Secretary.
 Senate Chamber
 Bismarck, February 4, 1949

Mr. Speaker: I have the honor to return:
 House Bill No. 14
 House Bill No. 28
 House Bill No. 39
 House Bill No. 95

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.
 Senate Chamber
 Bismarck, February 4, 1949

Mr. Speaker: I have the honor to return:
 House Bill No. 124

Which the Senate has amended.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
 Bismarck, February 4, 1949

Mr. President: I have the honor to return:

Senate Concurrent Resolution "O"

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, February 4, 1949

Mr. President: I have the honor to transmit:

House Bill No. 12
 House Bill No. 46
 House Bill No. 70
 House Bill No. 72
 House Bill No. 76
 House Bill No. 109
 House Bill No. 115
 House Bill No. 121
 House Bill No. 129
 House Bill No. 138
 House Bill No. 175
 House Bill No. 220
 House Concurrent Resolution "E"
 House Concurrent Resolution "J"

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

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 4, 1949

Mr. President: I have the honor to return:

Senate Bill No. 61

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 4, 1949

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 74 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Johnson, Bubel and Lillehaugen.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 4, 1949

Mr. President: I have the honor to inform you that the House is returning House Bill No. 124, which the Senate amended, for clarification of the Senate amendment.

GEORGE OLSON, Chief Clerk.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 134

Senate Bill No. 208

Senate Bill No. 218

Senate Bill No. 219

Senate Bill No. 220

Senate Bill No. 221

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

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

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

Senate Concurrent Resolution "P"

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

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

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

Senate Concurrent Resolution "D"

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 144, have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 152, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 169, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 170, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: A majority of your Committee on Social Welfare to whom was referred Senate Bill No. 177, have had the same under consideration and recommend that the same be indefinitely postponed.

JOSEPH A. REINKE
FRANK ALBERS
JOS. SPIEKERMEIER
HARRY O'BRIEN
AMOS FREED
Wm. H. TUFF
W. H. MEHLHAFF

MELVIN OLSON, Chairman.

Senator Reinke moved that the report be adopted.

Mr. President: A minority of your Committee on Social Welfare to whom was referred Senate Bill No. 177, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

OLSON of Barnes
C. W. SCHROCK
O. E. BILDEN
WALTER TROXEL
REINHART KRENZ
E. H. BRANT

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the minority report be adopted in lieu of the majority report, which motion was declared lost.

The question being on the motion of Senator Reinke that the majority report on Senate Bill No. 177 be adopted, which motion prevailed.

Senator Streibel moved that further action on the committee report on Senate Bill No. 181 be deferred until the bill is printed, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 194, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 215, have had the same under consideration and recommend that the same do pass.

G. I. FETON, Vice Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 229, have had the same under consideration and recommend that the same do pass.

G. I. FETON, Vice Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 232, have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "I", have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "J", have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted.

Senator Albers made a substitute motion that Senate Concurrent Resolution "J" be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 35, have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Braun moved that the amendments to Senate Bill No. 114 be adopted, which motion prevailed.

Senator Feton moved that the amendments to Senate Bill No. 149 be adopted, which motion prevailed.

Senator Rue moved that the amendments to Senate Bill No. 158 be adopted, which motion prevailed.

Senator Flatt moved that the amendments to Senate Bill No. 168 be adopted, which motion prevailed.

Senator Day moved that the amendments to Senate Bill No. 171 be adopted, which motion prevailed.

The Senate was on the eighth order of business.

Senator Brunsdale moved that Senate Bill No. 154 be re-referred to the Committee on Transportation, which motion prevailed.

Senator Stucke moved that the action by which Senate Concurrent Resolution "K" was adopted, be reconsidered, which motion prevailed.

Senator Duffy moved that Senate Concurrent Resolution "K" be re-referred to the Committee on Judiciary for amendment, which motion prevailed.

FIRST READING OF SENATE RESOLUTION

Senators Duffy, Nordhougen and Streibel introduced:

Senate Concurrent Resolution "Q". A Concurrent Resolution Memorializing Congress to Invest- the Indian Bureau.

Senator Streibel moved that the rules be suspended and that Senate Concurrent Resolution "Q" be placed upon second reading and final passage, which motion prevailed.

Senator Streibel moved that Senate Concurrent Resolution "Q" be amended as follows:

That the word "investi" be deleted in the title and the word "investigate" substituted in lieu thereof, which motion prevailed.

Senator Streibel moved that the rules be suspended and that Senate Concurrent Resolution "Q" be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE RESOLUTION

Senate Concurrent Resolution "Q"

ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were: ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Albers	Krenz	Reinke
Bjorlie	Leno	Rue
Blume	Lichty	Sandness
Brant	Lynch	Schrock
Braun	Mehlhoff	Schoeder
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekemeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Streibel
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath		

Absent and not voting:

Bilden	Shure	Wahlund
Flatt	Stucke	Work
Nordhougen		

So the resolution passed and the title was agreed to.

Senator Streibel moved that the Secretary of State be directed to send copies of Senate Concurrent Resolution "Q" to the President of the United States, one to each member of Congress from North Dakota, and one to each Appropriation Committee of the House and Senate of the United States, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 148

Was read the second time.

Senator Morgan moved that Senate Bill No. 148 be re-referred to the Committee on Social Welfare which motion prevailed.

Senate Bill No. 124

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 15; absent and not voting, 6.

ROLL CALL

Those voting in the affirmative were:

Blume	Krenz	Rue
Brant	Leno	Sandness
Braun	Lichty	Solberg
Coghlan	Mehlhoff	Spiekermeier
Feton	Morgan	Strand
Flatt	O'Brien	Torno
Foss	Olson, Barnes	Troxel
Fraser	Page	Welander
Freed	Reinke	Wolf
Kamrath		

Those voting in the negative were:

Albers	Nelson McKenzie	Schrock
Bjorlie	Nelson, Griggs-	Schoeder
Brunsdale	Steele	Streibel
Day	Olson, Mountrail	Stucke
Duffy	Pyle	Tuff
Lynch		

Absent and not voting:

Bilden	Nordhougen	Wahlund
Bridston	Shure	Work

So the bill passed and the title was agreed to.

Senate Bill No. 125

Was read the second time

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Albers	Freed	Reinke
Bjorlie	Kamrath	Sandness

Blume	Krenz	Schrock
Braun	Leno	Solberg
Bridston	Lichty	Spiekermeier
Brunsdale	Lynch	Strand
Coghlan	Mehlhoff	Streibel
Day	Morgan	Stucke
Duffy	Nelson, McKenzie	Torno
Feton	Nelson, Griggs-	Troxel
Flatt	Steele	Tuff
Foss	O'Brien	Welander
Fraser	Olson, Mountrail	Wolf

Absent and not voting:

Bilden	Page	Shure
Brant	Pyle	Wahlund
Nordhogen	Rue	Work
Olson, Barnes	Schoeder	

So the bill passed and the title was agreed to.

Senator Strand moved that after the reading of Senate Bills No. 125, 126, 138, 147, 155, 156, 179, 183, 187, 208, 210, 218, 219, 220, and 224, the Senate do recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

The Senate was on the tenth order of business.

Senate Bill No. 126

Was read the second time.

Senator Morgan moved that Senate Bill No. 126 be amended as follows:

In line 16 after the word "be" strike out "forty-eight hundred dollars per annum" and in lieu thereof insert the following: "the biennial appropriation made by the legislative assembly." which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 126 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Braun	Lynch	Schoeder
Bridston	Mehlhoff	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Strand
Day	Nelson, Griggs-	Streibel
Duffy	Steele	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath		

Absent and not voting:

Bilden	Page	Wahlund
Brant	Shure	Work
Nordhougen		

So the bill passed and the title was agreed to.

Senate Bill No. 138

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Braun	Lynch	Schoeder
Bridston	Mehlhoff	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Strand
Day	Nelson, Griggs-	Streibel
Duffy	Steele	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	

Absent and not voting:

Bilden	Nordhougen	Wahlund
Brant	Shure	Work

So the bill passed and the title was agreed to.

Senate Bill No. 147

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Braun	Lynch	Schoeder
Bridston	Mehlhoff	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Strand
Day	Nelson, Griggs-	Streibel
Duffy	Steele	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	

Absent and not voting:

Bilden	Nordhougen	Wahlund
Brant	Shure	Work

So the bill passed and the title was agreed to.

Senate Bill No. 155

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Albers	Krenz	Reinke
Bjorlie	Leno	Rue
Blume	Lichty	Sandness
Braun	Lynch	Schrock
Bridston	Mehlhoff	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Strand
Day	Nelson, Griggs-	Streibel
Duffy	Steele	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath		

Those voting in the negative were:

Schoeder

Absent and not voting:

Bilden	Nordhougen	Wahlund
Brant	Shure	Work

So the bill passed and the title was agreed to.

Senate Bill No. 156

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 8; absent and not voting, 8.

Those voting in the affirmative were:

Bjorlie	Freed	Pyle
Blume	Kamrath	Reinke
Braun	Krenz	Rue
Bridston	Lichty	Sandness
Brunsdale	Lynch	Schoeder
Coghlan	Mehlhoff	Solberg
Duffy	Morgan	Spiekermeier
Feton	Nelson, McKenzie	Streibel
Flatt	O'Brien	Tuff
Foss	Olson, Mountrail	Welander
Fraser	Olson, Barnes	Wolf

Those voting in the negative were:

Albers	Page	Torno
Leno	Strand	Troxel
Nelson, Griggs-	Stucke	
Steele		

Absent and not voting:

Bilden	Nordhougen	Wahlund
Brant	Schrock	Work
Day	Shure	

So the bill passed and the title was agreed to.

Senate Bill No. 179

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Albers	Leno	Rue
Bjorlie	Lichty	Sandness
Blume	Lynch	Schrock
Braun	Mehlhoff	Schoeder
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Duffy	Steele	Streibel
Feton	O'Brien	Stucke
Flatt	Olson Mountrail	Torno
Foss	Olson, Barnes	Troxel
Fraser	Page	Tuff
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz		

Absent and not voting:

Bilden	Nordhougen	Wahlund
Brant	Shure	Work
Day		

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

Senate Bill No. 183

Was read the second time.

Senator Brunsdale moved that Senate Bill No. 183 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senate Bill No. 187

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Braun	Lynch	Schoeder
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Duffy	Steele	Streibel
Feton	O'Brien	Stucke
Flatt	Olson Mountrail	Torno
Foss	Olson, Barnes	Troxel
Fraser	Page	Tuff
Freed	Pyle	Welander
Kamrath	Reinke	Wolf

Absent and not voting:

Bilden	Mehlhoff	Wahlund
Brant	Nordhougen	Work
Day	Shure	

So the bill passed and the title was agreed to.

Senate Bill No. 208

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were: ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Morgan	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Duffy	O'Brien	Stucke
Feton	Olson Mountrail	Torno
Flatt	Olson, Barnes	Troxel
Foss	Page	Tuff
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath		

Absent and not voting:

Bilden	Nordhougen	Wahlund
Day	Shure	Work
Mehlhoff		

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

Senate Bill No. 210

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were: ayes, 41; nays, 1; absent and not voting, 7.

ROLL CALL

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bjorlie	Krenz	Sandness
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Duffy	O'Brien	Stucke
Feton	Olson Mountrail	Torno
Flatt	Olson, Barnes	Troxel
Foss	Page	Tuff
Fraser	Pyle	Welander
Freed	Reinke	Wolf

Those voting in the negative were:

Morgan

Absent and not voting:

Bilden	Nordhougen	Wahlund
Day	Shure	Work
Mehlhoff		

So the bill passed and the title was agreed to.

Senate Bill No. 218

Was read the second time.

Senator Flatt moved that Senate Bill No. 218 be amended as follows:

In line 4 after the second "the" strike out "general fund" and insert in lieu thereof the following: "North Dakota General Obligation/Bonds Veterans of World War No. 2 Compensation Series."

Renumber lines accordingly, which motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were: ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bjorlie	Krenz	Sandness
Blume	Leno	Schrock
Brant	Lynch	Schoeder
Braun	Morgan	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	O'Brien	Stucke
Duffy	Olson Mountrail	Torno
Feton	Olson, Barnes	Troxel
Flatt	Page	Tuff
Foss	Pyle	Welanders
Fraser	Reinke	Wolf
Freed		

Those voting in the negative were:

Lichty

Absent and not voting:

Bilden	Nordhougen	Wahlund
Mehlhoff	Shure	Work

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

Senator Lichty: I don't want to be regarded as a "lone wolf" as I don't think I am. I am now, and have been opposed to the method of this taxation for a plan to pay the bonus. If I am not mistaken, the sponsors of this bill estimated that at least 50% of the taxes necessary to pay the bonus would be derived from the additional excise tax on cigarettes and intoxicating liquors. I do not smoke. I don't drink much intoxicating liquor, neither do I chew, or eat hay, and I have heard say that I am not good company for either man or beast. All joking aside I would like to have it known that I want to pay every cent of a fair, just and equitable tax to pay this bonus. I would like to see the man or the taxpayer who would say he does not want to pay his just and equitable part of the bonus. There is not a Senator in this

chamber who would say he does not, but there are a percentage of us who will not be able to pay our fair and equitable share of this tax under this system of taxation. I am quite sure that I will have plenty of followers out in the country who will think likewise.

Senate Bill No. 219

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 4; absent and not voting, 6.

Those voting in the affirmative were:

Bjorlie	Leno	Sandness
Brant	Lynch	Schrock
Braun	Morgan	Schoeder
Bridston	Nelson, McKenzie	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	O'Brien	Streibel
Duffy	Olson Mountrail	Stucke
Feton	Olson, Barnes	Torno
Flatt	Page	Troxel
Foss	Pyle	Tuff
Freed	Reinke	Weland
Kamrath	Rue	Wolf
Krenz		

Those voting in the negative were:

Albers	Fraser	Lichty
Blume		

Absent and not voting:

Bilden	Nordhougen	Wahlund
Mehlhoff	Shure	Work

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

Senate Bill No. 220

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were: ayes, 30; nays, 12; absent and not voting, 7.

Those voting in the affirmative were:

Brant	Leno	Sandness
Brunsdale	Lynch	Schoeder
Coghlan	Morgan	Solberg
Day	Nelson, McKenzie	Spiekermeier
Duffy	O'Brien	Strand
Feton	Olson Mountrail	Streibel
Flatt	Olson, Barnes	Torno
Foss	Pyle	Troxel
Kamrath	Reinke	Tuff
Krenz	Rue	Wolf

Those voting in the negative were:

Albers	Fraser	Page
Bjorlie	Freed	Schrock
Blume	Lichty	Weland
Braun	Nelson, Griggs-	
Bridston	Steele	

Absent and not voting:

Bilden	Shure	Wahlund
Mehlhaff	Stucke	Work
Nordhougen		

So the bill passed and the title was agreed to.

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

House Bill No. 46. A Bill for an Act to Provide Facilities for the Peaceful Settlement of Industrial Disputes Through Mediation and Arbitration; Creating a Division of Mediation; Providing for Arbitration, and Providing for Appropriation.

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

House Bill No. 70. 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.

House Bill No. 72. 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.

House Bill No. 76. 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.

House Bill No. 109. A Bill for an Act to Amend and Reenact Section 15-2205, North Dakota Revised Code of 1943, Fixing Mileage and Travel Expense, Amount, and How Paid for County Superintendents of Schools, and Repealing Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

House Bill No. 115. A Bill for an Act Relating to Electrical Installations and Repealing All Acts or Parts of Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Industry and Business.

House Bill No. 121. A Bill for an Act to Amend and Reenact Section 39-0467 of the North Dakota Revised Code of 1943. Providing for the Distribution of Motor Vehicle Registration.

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

House Bill No. 129. A Bill for an Act to Amend and Reenact Section 11-1512 of the North Dakota Revised Code of 1943, Relating to Sheriff's Mileage.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 138. A Bill for an Act Authorizing the Transfer and Conveyance of Certain Lands Held by the State of North Dakota for the Use and Benefit of the State

Historical Society by the State Historical Society to the State of North Dakota to Constitute a Part of the School Lands of the State in Exchange for Lands of Equal Value Constituting a Part of the Permanent School Funds of Said State, and Authorizing the Board of University and School Lands to Make the Necessary Transfer and Conveyance to Effect Such Exchange.

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

House Bill No. 175. A Bill for an Act to Amend and Reenact Sections 57-3716 and 57-3729 of the North Dakota Revised Code of 1943, Relating to Estate Taxes.

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

House Bill No. 220. A Bill for an Act to Repeal Section 44-0801 of the North Dakota Revised Code of 1943, Relating to the Preference Given to North Dakota Bidders and Sellers in Purchasing Any Goods, Merchandise, Supplies, or Equipment.

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

House Concurrent Resolution "E". A Concurrent Resolution Memorializing Congress to Create a Missouri Valley Administration for the Unified Development of the Water and Allied Resources of the Missouri River Basin and Its Tributaries to Their Greatest Potentialities.

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

House Concurrent Resolution "J". A Concurrent Resolution Memorializing the 81st Congress of the United States to Provide Federal Aid for Education.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Concurrent Resolution "D"

Senate Concurrent Resolution "P"

House Bill No. 8

House Bill No. 11

House Bill No. 27

House Bill No. 29

House Bill No. 30

House Bill No. 48

House Bill No. 53

House Bill No. 73

House Bill No. 83

House Bill No. 89

House Concurrent Resolution "C"

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

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

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

W. J. TROUT, Secretary.

THIRTY-THIRD DAY

Bismarck, February 5, 1949.

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, the Rev. Roy Wiegand of Bismarck. Roll call: All Senators present except Senators Bilden, Day, Foss, Freed, Lynch, Mehlhaff, Nordhougen, Schrock, Shure, Wahlund and Work.

A quorum was declared present by the President.

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

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

Page 301, line 42, correct the spelling of the word "Concurrent;" and in line 53, correct the spelling of the word "Senator."

Page 305, line 8, correct the spelling of the word "Resolution."

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

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

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 114
Senate Bill No. 126
Senate Bill No. 149
Senate Bill No. 158
Senate Bill No. 168
Senate Bill No. 171
Senate Concurrent Resolution "Q"

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

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

Mr. President: Your Committee on Enrollment and En-

grossment respectfully report that they have examined the following bills:

Senate Bill No. 61
Senate Concurrent Resolution "O"

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was re-referred Senate Bill No. 113, have had the same under consideration and recommend that the same be amended as follows:

In line 17, strike out the numeral "1.00%" and insert, in lieu thereof, the numeral ".50%";

In line 19, strike out the words "this section" and insert, in lieu thereof, the words "subsections 1, 2, 3, 4 and 5 of this section."

And when so amended recommend the same do pass.

WALTER TROXEL, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 123, 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 fixing limitations on revocation, countermands of payments and stop-payment orders and regulating the payment of checks and drafts against bank accounts and savings and loan association accounts.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. STOPPING PAYMENT OF CHECKS.) Any revocation, countermand or stop-payment order relating to the payment of any check or draft against the account of a depositor in any bank, trust company or savings and loan association doing business in this state shall, except as hereinafter provided, be in writing, and shall remain in effect for six months from the date of the service thereof upon the bank. Where any check or draft is presented for payment to a bank, trust company or savings and loan association more than six months from the date thereof, such bank, trust company or savings and loan association, unless expressly instructed by the drawer or maker thereof to pay the same, shall refuse payment thereof, and no liability shall be incurred to the drawer, maker or holder thereof for dishonoring such instrument by nonpayment.

SECTION 2. ORAL ORDER.) No oral revocation, countermand or stop-payment order shall be binding upon any bank, trust company or savings and loan association unless the order shall be confirmed in writing or by telegraph within five business days thereafter.

SECTION 3. EXISTING ORDERS, LIMIT ON.) No notice affecting a check or draft upon which revocation, countermand or stop-payment order has been made at the

time of taking effect of this Act shall be deemed to continue for a longer period than six months from the date this Act takes effect."

Renumber the lines.

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be printed in the journal and laid over one legislative day, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 130, have had the same under consideration and recommend that the same do pass.

Wm. J. BRAUN, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 131, have had the same under consideration and recommend that the same do pass.

Wm. J. BRAUN, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 137, have had the same under consideration and recommend that the same be indefinitely postponed.

G. I. FETON, Vice Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 140, have had the same under consideration and recommend that the same be amended as follows:

Section 1, Line 3, strike out the word "shall" and insert in lieu thereof the word "may."

Section 2, Line 7, strike out the word "may" and insert in lieu thereof the word "shall."

And when so amended recommend the same do pass.

G. I. FETON, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 143, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 176, have had the same under consideration and recommend that the same be re-referred to the Committee on Appropriations.

WALTER TROXEL, Chairman.

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

Mr. President: Your Committee on Industry and Business

to whom was referred Senate Bill No. 228, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution "N", have had the same under consideration and recommend that the same be amended as follows:

In the fourth line of the title of the bill after the word "January" strike out "29 and 30" and insert in lieu thereof "28, 29, 30 and 31."

In line 11 after the word "January" strike out "29 and 30" and insert in lieu thereof "28, 29, 30 and 31."

In line 14 after the first word "on" strike out the balance of the line and insert in lieu thereof "Friday, January 28, Saturday, January 29, Sunday, January 30, and on Monday, January 31," and renumber the lines.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 155, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "E" have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 61

Senate Concurrent Resolution "O"

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

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 5, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 124

Senate Bill No. 125

Senate Bill No. 134

Senate Bill No. 138

Senate Bill No. 147

Senate Bill No. 155

Senate Bill No. 156

Senate Bill No. 179

Senate Bill No. 187
 Senate Bill No. 208
 Senate Bill No. 210
 Senate Bill No. 218
 Senate Bill No. 219
 Senate Bill No. 220

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

W. J. TROUT, Secretary.

Senate Chamber
 Bismarck, February 5, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 126
 Senate Concurrent Resolution "Q"

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

W. J. TROUT, Secretary.

Senate Chamber
 Bismarck, February 5, 1949

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "O"
 Senate Concurrent Resolution "D"
 Senate Concurrent Resolution "P"
 Senate Bill No. 61

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber
 Bismarck, February 5, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 8
 House Bill No. 11
 House Bill No. 27
 House Bill No. 29
 House Bill No. 30
 House Bill No. 48
 House Bill No. 53
 House Bill No. 73
 House Bill No. 83
 House Bill No. 89
 House Concurrent Resolution "C"

Which the President has signed.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
 Bismarck, February 5, 1949

Mr. President: I have the honor to inform you that the House requests the return of House Bill No. 12, which was messaged over in error.

GEORGE OLSON, Chief Clerk.

Senator Brunsdale moved that the Senate return House Bill No. 12, which the House has requested, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 5, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 12

Which the House has requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 5, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 124 and to refer you to page 297 of the Senate Journal for clarification of the amendment.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 5, 1949

Mr. President: I have the honor to return:

Senate Concurrent Resolution "O"

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 5, 1949

Mr. President: I have the honor to transmit:

House Bill No. 36

House Bill No. 38

House Bill No. 40

House Bill No. 50

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 5, 1949

Mr. President: I have the honor to transmit:

House Bill No. 69

House Bill No. 71

House Bill No. 75

House Bill No. 100

House Bill No. 232

House Bill No. 270

House Bill No. 289

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

GEORGE OLSON, Chief Clerk.

The Senate was on the eleventh order of business.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Morgan moved that the President of the Senate appoint a conference committee on House Bill No. 74, which motion prevailed.

The President appointed as such Conference Committee Senators Morgan, Streibel and Troxel.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 5, 1949

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. 74, Senators: Morgan, Streibel and Troxel.

W. J. TROUT, Secretary.

The Senate was on the tenth order of business.

Senator Brunsdale moved that the following bills be laid over one legislative day, Senate Bills No. 224, 114, 149, 152, 229, which motion prevailed.

MOTIONS

Senator Morgan moved that the vote by which House Bill No. 35 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Morgan moved that House Bill No. 35 be referred to the Committee on State and Federal Government, which motion prevailed.

Senator Albers moved that Senate Concurrent Resolution "J" be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 158

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were: ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schoeder
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	O'Brien	Stucke
Duffy	Olson Mountrail	Torno
Feton	Olson, Barnes	Troxel
Flatt	Page	Tuff
Fraser	Pyle	Welander
Kamrath	Reinke	Wolf

Absent and not voting:

Bilden	Lynch	Shure
Day	Mehlhoff	Wahlund
Foss	Nordhougen	Work
Freed	Schrock	

So the bill passed and the title was agreed to.

Senate Bill No. 168

Was read the second time.

Senator Duffy moved that Senate Bill No. 168 be amended as follows: In line 12 that the words "and required" be stricken out, which motion prevailed.

Senator Duffy moved that Senate Bill No. 168 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were: ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bjorlie	Lichty	Schoeder
Blume	Morgan	Solberg
Brant	Nelson, McKenzie	Spiekermeier
Braun	Nelson, Griggs-	Strand
Bridston	Steele	Streibel
Brunsdale	O'Brien	Stucke
Coghlan	Olson Mountrail	Torno
Duffy	Olson, Barnes	Troxel
Feton	Page	Tuff
Fraser	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	

Absent and not voting:

Bilden	Freed	Schrock
Day	Lynch	Shure
Flatt	Mehlhoff	Wahlund
Foss	Nordhougen	Work

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

Senate Bill No. 169

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 1; absent and not voting, 13.

Those voting in the affirmative were:

Bjorlie	Leno	Sandness
Blume	Lichty	Schoeder
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	O'Brien	Stucke
Duffy	Olson Mountrail	Torno
Feton	Olson, Barnes	Troxel
Fraser	Pyle	Tuff
Kamrath	Reinke	Welander
Krenz	Rue	Wolf

Those voting in the negative were:

Albers

Absent and not voting:

Bilden	Lynch	Schrock
Day	Mehlhoff	Shure
Flatt	Nordhougen	Wahlund
Foss	Page	Work
Freed		

So the bill passed and the title was agreed to.

Senate Bill No. 170

Was read the second time.

ROLL CALL

The question being on the final passage of the bill,

the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schoeder
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	O'Brien	Stucke
Duffy	Olson Mountrail	Torno
Feton	Olson, Barnes	Troxel
Flatt	Page	Tuff
Fraser	Pyle	Welander
Kamrath	Reinke	Wolf

Absent and not voting:

Bilden	Lynch	Shure
Day	Mehlhoff	Wahlund
Foss	Nordhougen	Work
Freed	Schrock	

So the bill passed and the title was agreed to.

Senate Bill No. 171

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Albers	Leno	Sandness
Blume	Lichty	Schoeder
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	O'Brien	Stucke
Duffy	Olson Mountrail	Torno
Feton	Olson, Barnes	Troxel
Flatt	Page	Tuff
Fraser	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	

Absent and not voting:

Bilden	Freed	Schrock
Bjorlie	Lynch	Shure
Day	Mehlhoff	Wahlund
Foss	Nordhougen	Work

So the bill passed and the title was agreed to.

Senator Duffy moved that the title to Senate Bill No. 171 be amended by adding the following: "and providing a new trial in certain cases.", which motion prevailed.

Senate Bill No. 194

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll

was called and there were: ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bjorlie	Leno	Schoeder
Blume	Lichty	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Bridston	Steele	Streibel
Brunsdale	O'Brien	Stucke
Coghlan	Olson Mountrail	Torno
Duffy	Olson, Barnes	Troxel
Feton	Page	Tuff
Flatt	Pyle	Welder
Fraser	Reinke	Wolf
Kamrath	Rue	

Absent and not voting:

Bilden	Lynch	Schrock
Day	Mehlhoff	Shure
Foss	Nelson, McKenzie	Wahlund
Freed	Nordhougen	Work

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 69. A Bill for an Act Making an Appropriation for General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

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

House Bill No. 71. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the North Dakota Twine and Cordage Plant at the State Penitentiary.

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

House Bill No. 75. A Bill for an Act Making an Appropriation to Pay the Costs of the Administration of the Old Age and Survivor Insurance System.

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

House Bill No. 100. A Bill for an Act to Amend and Reenact Section 2 of Chapter 334, Session Laws of 1945, Number 63-0306 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relative to the Cutting of Weeds and Grasses Along Township Highways; Charging the Expense to Adjoining Owners; Defining a Running Mile.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 232. 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.

House Bill No. 270. A Bill for an Act Making an

Appropriation to the Board of Administration for the Purchase of Lots for the Capitol Grounds.

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

House Bill No. 289. A Bill for an Act to Amend and Reenact Section 54-3510 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Compensation of Members of the Legislative Research Committee.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 36

House Bill No. 38

House Bill No. 40

House Bill No. 50

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

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

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

W. J. TROUT, Secretary.

THIRTY-FIFTH DAY

Bismarck, February 7, 1949

The Senate convened at 2:00 p.m., the President presiding.
Prayer by the Chaplain, Major H. J. Nichols, of Bismarck.
Roll Call: All Senators present except Senators Albers, Bilden and Shure.

A quorum was declared present by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-third day and find the same correct.

EDWARD LENO, Chairman.

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

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "O"

Was delivered to the Secretary of State for his approval at the hour of 2:40 p.m. o'clock, February 5, 1949.

EMIL TORNO, Chairman.

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

Senate Bill No. 168

Senate Bill No. 171

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

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

Mr. President: Your Committee on Labor Relations to whom was referred Senate Bill No. 121, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

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

Mr. President: Your Committee on Labor Relations to whom was referred Senate Bill No. 122, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 132, have had the same under consideration and recommend that the same do pass.

Wm. J. BRAUN, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 133, have had the same under consideration and recommend that the same do pass.

Wm. J. BRAUN, Chairman.

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

Mr. President: Your Committee on Social Welfare to whom was referred Senate Bill No. 148, have had the same under consideration and recommend that the same be amended as follows:

In line seventeen after the word "five" insert the word "hundredths."

In line twenty-two after the word "fifteen" insert the word "hundredths."

In line twenty-six after the word "five" insert the word "hundredths."

In line twenty-seven after the word "fifteen" insert the word "hundredths" and renumber the lines, if necessary.

And when so amended recommend the same do pass.

MELVIN OLSON, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 181, have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the title following the word "municipalities" insert the words "and state institutions."

And when so amended recommend the same do pass.

G. I. Feton, Vice Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 190, have had the same under consideration and recommend that the same be indefinitely postponed.

WALTER TROXEL, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 206, have had the same under consideration and recommend that the same be indefinitely postponed.

G. I. Feton, Vice Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 227, have had the same under consideration and recommend that the same be amended as follows:

In line 4 after the word "education" insert the following language: "or the board of administration".

At the end of line 4 after the word "learning" add the following language: "or industrial training".

And when so amended recommend the same do pass.

A. J. SANDNESS, Chairman.

Senator Mehlhaff moved that Senate Bill No. 227 be referred to the Committee on Industry and Business which motion was declared lost.

Senator Bridston moved that Senate Bill No. 227 be referred to the Committee on Education, which motion was declared lost.

The question being on the motion of Senator Sandness to adopt the report of the committee on Senate Bill No. 227, which motion prevailed.

Mr. President: Your Committee on Labor Relations to whom was referred Senate Bill No. 230, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 13, have had the same under consideration and recommend that the same be amended as follows:

In line 62 of the original bill following the comma after the word "boulevards" insert the following: "highways, streets, state highways".

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 16, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Labor Relations to whom was referred House Bill No. 46, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 129, have had the same under consideration and recommend that the same do pass.

G. I. FETON, Vice Chairman.

Senator Feton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 136, have had the same under consideration and recommend that the same be indefinitely postponed.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 7, 1949.

Mr. Speaker: I have the honor to return:

House Bill No. 36
House Bill No. 38
House Bill No. 40
House Bill No. 50

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 7, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 158
Senate Bill No. 168
Senate Bill No. 169
Senate Bill No. 170
Senate Bill No. 171
Senate Bill No. 194

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 7, 1949

Mr. President: I have the honor to return:

Senate Bill No. 98

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 7, 1949

Mr. President: I have the honor to return:

Senate Bill No. 61
Senate Concurrent Resolution "D"
Senate Concurrent Resolution "P"

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 7, 1949

Mr. President: I have the honor to return:

Senate Concurrent Resolution "Q"

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 7, 1949

Mr. President: I have the honor to transmit:

House Bill No. 14
House Bill No. 28
House Bill No. 39
House Bill No. 95

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 7, 1949

Mr. President: I have the honor to transmit:

House Bill No. 105
House Bill No. 158
House Bill No. 166
House Bill No. 178
House Bill No. 224
House Bill No. 294

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

CONSIDERATION OF AMENDMENTS

Senator Troxel moved that the amendments to Senate Bill No. 113 be adopted, which motion prevailed.

Senator Rue moved that the Committee report on Senate Bill No. 123 be adopted, which motion prevailed.

Senator Rue moved that the amendments to Senate Bill No. 123 be adopted, which motion prevailed.

Senator Feton moved that the amendments to Senate Bill No. 140 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Concurrent Resolution "N" be adopted, which motion prevailed.

MOTIONS

Senator Flatt moved that the rules be suspended and that House Concurrent Resolution "R" be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 114

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Bjorlie	Leno	Rue
Blume	Lichty	Sandness
Brant	Lynch	Schrock
Braun	Mehlhoff	Schoeder
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekemeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Streibel

Duffy	Nordhougen	Stucke
Feton	O'Brien	Torno
Flatt	Olson Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz		
Absent and not voting:		
Albers	Shure	Work
Bilden		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 149

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 7; absent and not voting, 4.

Those voting in the affirmative were:

Bjorlie	Kamrath	Pyle
Blume	Krenz	Rue
Brant	Leno	Schrock
Braun	Lynch	Schoeder
Bridston	Mehlhoff	Solberg
Coghlan	Morgan	Stucke
Day	Nelson, McKenzie	Torno
Duffy	Nelson, Griggs-	Troxel
Feton	Steele	Tuff
Flatt	O'Brien	Wahlund
Foss	Olson Mountrail	Welander
Fraser	Olson, Barnes	Wolf
Freed	Page	Work

Those voting in the negative were:

Brunsdale	Reinke	Spiekermeier
Lichty	Sandness	Streibel
Nordhougen		

Absent and not voting:

Albers	Shure	Strand
Bilden		

So the bill passed and the title was agreed to.

Senate Bill No. 152

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 12; absent and not voting, 4.

Those voting in the affirmative were:

Bjorlie	Foss	Pyle
Blume	Fraser	Reinke
Brant	Freed	Rue
Braun	Kamrath	Sandness
Bridston	Krenz	Schoeder
Brunsdale	Leno	Spiekermeier

Coghlan	Lichty	Troxel
Day	Mehlhoff	Tuff
Duffy	O'Brien	Wahlund
Feton	Olson Mountrail	Wolf
Flatt	Page	Work

Those voting in the negative were:

Lynch	Nordhougen	Streibel
Morgan	Olson, Barnes	Stucke
Nelson, McKenzie	Schrock	Torno
Nelson, Griggs- Steele	Solberg	Welander

Absent and not voting:

Albers	Shure	Strand
Bilden		

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the special printing committee check with the printer, Mr. Melton, and find out if the bills that are missing can be printed, which motion prevailed.

Senate Bill No. 224

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 25; nays, 22; absent and not voting, 2.

Those voting in the affirmative were:

Brant	Krenz	Page
Braun	Lynch	Reinke
Bridston	Mehlhoff	Rue
Brunsdale	Morgan	Schoeder
Coghlan	Nelson, Griggs- Steele	Spiekermeier
Duffy		Welander
Feton	Nordhougen	Wolf
Flatt	O'Brien	Work
Freed	Olson, Barnes	

Those voting in the negative were:

Albers	Lichty	Strand
Bjorlie	Nelson, McKenzie	Streibel
Blume	Olson Mountrail	Stucke
Day	Pyle	Torno
Foss	Sandness	Troxel
Fraser	Schrock	Tuff
Kamrath	Solberg	Wahlund
Leno		

Absent and not voting:

Bilden	Shure
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So the bill passed and the title was agreed to.

Senate Bill No. 229

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Kamrath	Reinke
Bjorlie	Krenz	Rue
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Solberg
Bridston	Mehlhoff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nelson, Griggs-	Stucke
Duffy	Steele	Torno
Feton	Nordhougen	Tuff
Flatt	O'Brien	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Pyle	Work

Absent and not voting:

Bilden	Sandness	Troxel
Olson Mountrail	Shure	

So the bill passed and the title was agreed to.

Senate Bill No. 130

Was read the second time.

Senator Braun moved that Senate Bill No. 130 be amended as follows: In line 13 after the word "be" strike out the words "deemed to be," which motion prevailed.

Senator Braun moved that the rules be suspended and that Senate Bill No. 130 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Pyle	Work
Kamrath	Reinke	

Those voting in the negative were:

Tuff

Absent and not voting:

Bilden	Shure
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So the bill passed and the title was agreed to.

Senator Strand moved that after reading Senate Bills No. 131, 143, 228, Senate Concurrent Resolutions "I" and "J", that the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

Senate Bill No. 131

Was 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, 1; absent and not voting, 7.

Those voting in the affirmative were:

Albers	Freed	Pyle
Bjorlie	Kamrath	Reinke
Blume	Krenz	Rue
Brant	Leno	Sandness
Braun	Lichty	Schoeder
Bridston	Lynch	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	O'Brien	Wahlund
Flatt	Olson Mountrail	Welanders
Foss	Olson, Barnes	Wolf
Fraser	Page	Work

Those voting in the negative were:

Tuff

Absent and not voting:

Bilden	Schrock	Streibel
Mehlhoff	Shure	Stucke
Nelson, McKenzie		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 143

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 15; absent and not voting, 5.

Those voting in the affirmative were:

Bjorlie	Kamrath	Sandness
Blume	Krenz	Schoeder
Brant	Leno	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Bridston	Steele	Strand
Brunsdale	O'Brien	Stucke
Coghlan	Olson, Barnes	Torno
Feton	Page	Troxel
Flatt	Pyle	Wahlund
Freed	Reinke	Welanders

Those voting in the negative were:

Albers	Lichty	Rue
Day	Lynch	Streibel

Duffy	Morgan	Tuff
Foss	Nordhougen	Wolf
Fraser	Olson Mountrail	Work

Absent and not voting:

Bilden	Nelson, McKenzie	Shure
Mehlhoff	Schrock	

So the bill passed and the title was agreed to.

Senate Bill No. 228

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 11; absent and not voting, 4.

Those voting in the affirmative were:

Bjorlie	Fraser	Reinke
Blume	Freed	Rue
Brant	Kamrath	Schrock
Braun	Krenz	Schoeder
Bridston	Lichty	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, Griggs-	Torno
Day	Steele	Troxel
Duffy	O'Brien	Wahlund
Feton	Olson, Barnes	Wolf
Flatt	Page	Work
Foss	Pyle	

Those voting in the negative were:

Albers	Olson Mountrail	Stucke
Leno	Sandness	Tuff
Lynch	Solberg	Welanders
Nordhougen	Streibel	

Absent and not voting:

Bilden	Nelson, McKenzie	Shure
Mehlhoff		

So the bill passed and the title was agreed to.

SECOND READING OF SENATE RESOLUTION

Senate Concurrent Resolution "I"

Senator Stucke moved that Senate Concurrent Resolution "I" be adopted, which motion prevailed.

MOTIONS

Senator Olson of Mountrail moved that Senate Bill No. 113 be re-referred to the Committee on Agriculture, which motion prevailed.

Senator Olson of Mountrail moved that Senate Concurrent Resolution "J" be laid over one legislative day.

The question being on the motion of Senator Olson of Mountrail, the roll was called and there were ayes, 23; nays, 23; absent and not voting, 3.

The President voted "aye," and the motion prevailed.

Senator Streibel moved that Senate Concurrent Resolution "M" be laid over until printed, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 98

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Bilden	Mehlhaff	Shure
Day	Nelson, McKenzie	

So the bill passed and the title was agreed to.

House Bill No. 142

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Solberg
Braun	Mehlhaff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Absent and not voting:

Bilden	Nelson, McKenzie	Shure
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So the bill passed and the title was agreed to.

House Bill No. 155

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welanders
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Those voting in the negative were:

Olson, Mountrail	Strand	Stucke
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Absent and not voting:

Bilden	Nelson, McKenzie	Shure
Day		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE RESOLUTION

House Concurrent Resolution "E"

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, 21; nays, 25; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Lynch	Solberg
Bjorlie	Nordhougen	Strand
Blume	O'Brien	Stucke
Fraser	Olson, Mountrail	Tuff
Kamrath	Sandness	Wahlund
Leno	Schrock	Welanders
Lichty	Schoeder	Wolf

Those voting in the negative were:

Brant	Foss	Pyle
Braun	Freed	Reinke
Bridston	Krenz	Rue
Brunsdale	Mehlhoff	Spiekermeier
Coghlan	Morgan	Streibel
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	Olson, Barnes	Work
Flatt	Page	

Absent and not voting:

Bilden	Nelson, McKenzie	Shure
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So the resolution was declared lost.

Senator Streibel changes his vote from "aye" to "nay" for the purpose of reconsideration.

FIRST READING OF HOUSE BILLS

House Bill No. 105. A Bill for an Act Making an Appropriation to the State Historical Society to Defray the Expenses of Repairing, Reconditioning, Improving and of the Upkeep of the Roosevelt Cabin at the State Capitol.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 158. A Bill for an Act Authorizing Two or More Incorporated Religious Societies, Churches, Congregations, Parishes, Chapters, Dioceses, Properties and Cathedrals to Consolidate, Merge, and Reorganize as a Single Religious Society, Church, Congregation, Parish, Chapter, Diocese, or Cathedral, by Complying With the Provisions of Law for the Consolidation, Merger and Reorganization of Such Corporation, and Declaring an Emergency. .

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 166. A Bill for an Act to Amend and Reenact Sections 6-0111, 12-4708, and 15-0203 of the North Dakota Revised Code of 1943 and Sections 4-1707, 6-0116, 18-0101, 19-0103, 20-0203, 20-0207, 20-0209, 20-0212, 24-0206, 25-0205, 27-0303, 38-0304, 39-0202, 54-2104, 54-2106 and 65-0202 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Salaries of State Officers and Employees.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 178. A Bill for an Act to Amend and Reenact Section 47-0604 of the North Dakota Revised Code of 1943, Relating to Fixtures, Improvements and Soil Building Practices by Tenants on Leased Land.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 224. A Bill for an Act to Amend and Re-enact Section 30-2111 of the North Dakota Revised Code of 1943, Relating to Recording Certified Copy of Decree of Distribution When It Affects the Title to Real Estate.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 294. A Bill for an Act to Amend Section 15-4007 of the 1947 Supplement to the North Dakota Revised Code of 1943 by Creating Subsection 6, Relating to Requirements for Expenditures From the Emergency Fund of the State Equalization Fund.

Was read the first time and referred to the Committee on Education.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 14
House Bill No. 28
House Bill No. 39
House Bill No. 95

And the President signed the same in the presence of the Senate.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 7, 1949

Mr. President: I have the honor to inform you that the House is returning House Bill No. 124 which the Senate amended, for clarification of the Senate amendment.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 7, 1949

Mr. President: This is to inform you that the House would like to receive the Senate in an informal joint session at 2:30 p. m., on Tuesday, February 8, 1949, to hear Mr. Everett Nygaard and Mr. Henry Scanlon, operatic singers, who are visiting in the city.

Very respectfully,

GEORGE OLSON, Chief Clerk.

Senator Brunsdale moved that the Senate accept the invitation of the House to an informal joint session at 2:30 P. M. on Tuesday, February 8, 1949, to hear Mr. Everett Nygaard and Mr. Henry Scanlon, operatic singers, which motion prevailed.

Senator Bjorlie moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

THIRTY-SIXTH DAY

Bismarck, February 8, 1949

The Senate convened at 2:00 P. M., the President presiding.

Prayer by the Chaplain, Major H. J. Nichols of Bismarck.

Roll call: All Senators present except Senators Shure and Tuff.

A quorum was declared present by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-fifth day and recommends that the same be corrected as follows:

Page 327, line 37, correct the spelling of the word "Labor."

Page 338, in the roll call on House Concurrent Resolution "E" strike out the name Streibel from those voting "aye" and insert in lieu thereof the name Strand, and strike out the name Strand from those voting "nay" and insert in lieu thereof the name Streibel.

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

COMMUNICATIONS TO THE GOVERNOR

February 7, 1949

Hon. Fred G. Aandahl
Governor of North Dakota
Bismarck, North Dakota

Dear Governor Aandahl:

This is to advise that the Senate has confirmed the appointment of Dr. Archie D. McCannell as a member of the State Board of Higher Education for a term of seven years, starting August 16, 1948 and ending August 15, 1955.

Respectfully yours,

W. J. TROUT, Secretary.

February 7, 1949

Hon. Fred G. Aandahl
Governor of North Dakota
Bismarck, North Dakota

Dear Governor Aandahl:

This is to advise that the Senate has confirmed the appoint-

ment of Merle Kidder as a member of the State Board of Higher Education for a term of seven years, starting July 1, 1949 and ending June 30, 1956.

Respectfully yours,
W. J. TROUT, Secretary.

February 7, 1949

Hon. Fred G. Aandahl
Governor of North Dakota
Bismarck, North Dakota

Dear Governor Aandahl:

This is to advise that the Senate has confirmed the appointment of T. S. Henry as a member of the Board of Trustees of the Soldier's Home at Lisbon, North Dakota, for a term of five years, starting July 1, 1948 and ending June 30, 1953.

Respectfully yours,
W. J. TROUT, Secretary.

February 7, 1949

Hon. Fred G. Aandahl
Governor of North Dakota
Bismarck, North Dakota

Dear Governor Aandahl:

This is to advise that the Senate has confirmed the appointment of W. F. Burnett as a member of the Board of Trustees of the Soldier's Home at Lisbon, North Dakota, for a term of five years, starting July 1, 1947 and ending June 30, 1952.

Respectfully yours,
W. J. TROUT, Secretary.

February 7, 1949

Hon. Fred G. Aandahl
Governor of North Dakota
Bismarck, North Dakota

Dear Governor Aandahl:

This is to advise that the Senate has confirmed the reappointment of George Haynes as a member of the Board of Trustees of the Soldier's Home at Lisbon, North Dakota, for a term of five years, starting July 1, 1949 and ending June 30, 1954.

Respectfully yours,
W. J. TROUT, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 113
Senate Bill No. 123
Senate Bill No. 130
Senate Bill No. 140
Senate Concurrent Resolution "N"

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engross-

ment respectfully report that they have examined the following bills:

Senate Bill No. 98

Senate Concurrent Resolution "Q"

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

February 8, 1949

Members of the Senate
Thirty-First Legislative Assembly
Senate Chambers
Bismarck, North Dakota

Gentlemen:

Today I have approved Senate Bill No. 61.

This bill has been filed with the Secretary of State.

Sincerely yours,

FRED G. AANDAHL
Governor

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 24, have had the same under consideration and recommend that the same be amended as follows:

Delete everything after the word "divisions" in the second line of the title and add "payments to be computed on a per capita basis".

Delete rest of bill and insert the following:

SECTION 1.) The state treasurer, on the first day of July of each year, shall distribute to the cities, villages, and counties of the state for local governmental purposes, payments to be computed on the basis of three dollars per capita. The last official decennial federal or state census shall be used to determine population and the population of counties shall be reduced by deducting the population of the incorporated cities and villages therein. In determining the population of those cities or villages incorporated subsequent to the last official decennial federal or state census, the population as determined by the procedure to be followed at the time of incorporation of such city or village shall be used. There is hereby appropriated from any moneys in the state treasury, not otherwise appropriated, the sums necessary to carry out the provisions of this Act.

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 128, have had the same

under consideration and recommend that the same do pass.

Wm. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 183, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 189, have had the same under consideration and recommend that the same be amended as follows:

On line 23, strike out the word "ronservator" and insert, in lieu thereof, the word "conservator".

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 197, have had the same under consideration and recommend that the same do pass.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 199, have had the same under consideration and recommend that the same be indefinitely postponed.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 204, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A BILL" and insert, in lieu thereof, the following:

"For an Act amending and reenacting section 39-0516 of the North Dakota Revised Code of 1943, pertaining to titles to motor vehicles, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 39-0516 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

39-0516. No person, firm, association, partnership or corporation, other than a dealer licensed in North Dakota, shall sell any used motor vehicle until the seller thereof has obtained a North Dakota certificate of title thereto from the motor vehicle registrar.

SECTION 2. PENALTY.) Any violation of this Act shall constitute a misdemeanor.

SECTION 3. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 205, have had the same under consideration and recommend that the same be indefinitely postponed.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 209, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A BILL" and insert, in lieu thereof, the following:

"For an Act Relating to Probate Proceedings and Providing for the Distribution of Estates when an Interested Party Has Died and no Probate Proceedings Have Been Had Upon the Estate of Such Interested Party.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. PARTIES.) When, in the course of administration of an estate, it appears that any deceased person whose estate has not been entered in probate for a period of six months after the death of such deceased person is interested in the estate in process of administration, the legal heirs of such deceased person who by the laws of succession have succeeded to the interest or interests of the decedent whose estate has not been admitted to probate shall be entered as parties respondent and distribution may be made directly to the parties entitled. The legal heirs of such deceased person shall be designated by name insofar as they are known to the court and shall be generally designated as "all persons interested in the estate of _____" (naming the deceased heir).

SECTION 2. PROCEEDINGS DISCONTINUED, WHEN.) If notice be brought to the court that an executor or administrator of the estate of the deceased heir has been appointed, such personal representative shall be substituted as a party respondent, in lieu of the heirs of such deceased heir, and distribution made to such personal representative or in accordance with the final decree of distribution in the estate of such deceased heir.

SECTION 3. PROCEEDINGS CONCLUSIVE.) The decree of final distribution and all other orders made pursuant to this Act shall be binding and conclusive upon all persons interested in the estate of a deceased heir, including heirs, devisees, legatees and creditors, saving the right of appeal or rehearing as provided by law."

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 217, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "H", have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 20, have had the same under consideration and recommend that the same be indefinitely postponed.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 100, have had the same under consideration and recommend that the same do pass.

G. I. FETON, Vice Chairman.

Senator Fetton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 116, have had the same under consideration and recommend that the same do pass.

G. I. FETON, Vice Chairman.

Senator Fetton moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 8, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 114

Senate Bill No. 130

Senate Bill No. 131

Senate Bill No. 143

Senate Bill No. 149

Senate Bill No. 152

Senate Bill No. 224

Senate Bill No. 228

Senate Bill No. 229

Senate Concurrent Resolution "I"

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 8, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 14
House Bill No. 28
House Bill No. 39
House Bill No. 95

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 8, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 98
House Bill No. 142
House Bill No. 155
House Concurrent Resolution "R"

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 8, 1949

Mr. President: I have the honor to return:

Senate Bill No. 116

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 8, 1949

Mr. President: I have the honor to transmit:

House Bill No. 12

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 8, 1949

Mr. President: I have the honor to transmit:

House Bill No. 91
House Bill No. 139
House Bill No. 185
House Bill No. 223
House Bill No. 318
House Concurrent Resolution "F"
House Concurrent Resolution "K"
House Concurrent Resolution "N"

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 8, 1949

Mr. President: I have the honor to return:

Senate Bill No. 60

Which the House has amended, as follows:

In line 7 after the first comma insert the following words.

and figures: "as amended by Chapter 237 of the North Dakota Session Laws of 1945,"

Re-number the lines.

GEORGE OLSON, Chief Clerk.

CONSIDERATION OF AMENDMENTS

Senator Olson of Barnes moved that the amendments to Senate Bill No. 148 be adopted, which motion prevailed.

Senator Feton moved that the amendments to Senate Bill No. 181 be adopted, which motion prevailed.

Senator Sandness moved that the amendments to Senate Bill No. 227 be adopted, which motion prevailed.

Senator Brant moved that the amendments to House Bill No. 13 be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

The Committee on Delayed Bills introduced:

Senate Bill No. 236. A Bill for an Act Authorizing the State Library Commission to Accept and Disburse Grants of Federal Funds.

Was read the first time and referred to the Committee on Education.

Senator Troxel moved that after the reading of Senate Bills No. 192, 215, 121, 122, 123, 132, 133, 140, 230, and Senate Concurrent Resolutions "J", "M", and "N", that the Senate recess and proceed to the House to hear the operatic singers, Everett Nygaard and Henry Scanlon, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

Senator Reinke rose to a point of personal privilege. The privilege was granted by the President.

Senator Reinke: Mr. President: The action of the Communist dominated government of Hungary in condemning to life imprisonment a cardinal of the Catholic Church—a sentence which means a slow and painful martyrdom—brings before us the tyranny and brutality which are inherent in Communistic philosophy. It is a threat to the whole philosophy of Christianity. It is a threat to every man who believes in God. I believe, therefore, that it would be fitting if during the moments of prayer during this session each and every one of us shall fervently pray that this land may be forever spared the shocking scene we have witnessed in Hungary and the equally shocking scenes which have been witnessed throughout Europe wherever the Communist party has gained power.

Senator Braun moved that Senator Reinke's remarks be printed in the journal, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 192

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Shure

So the bill passed and the title was agreed to.

Senator Day moved that Senate Bill No. 215 be placed at the foot of the calendar, which motion prevailed.

MOTIONS

Senator Streibel moved that the vote by which House Concurrent Resolution "E" was defeated be reconsidered.

Senator Brunsdale requested a call of the Senate.

Senator Brunsdale moved that the call of the Senate be dispensed with, which motion prevailed.

ROLL CALL

The question being on the motion of Senator Streibel to reconsider the vote by which House Concurrent Resolution "E" was defeated, the roll was called and there were ayes, 23; nays, 25; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Lynch	Solberg
Bilden	Nelson, McKenzie	Streibel
Bjorlie	Nordhougen	Stucke
Blume	O'Brien	Tuff
Fraser	Olson, Mountrail	Wahlund
Kamrath	Page	Welander
Leno	Schrock	Wolf
Lichty	Schoeder	

Those voting in the negative were:

Brant	Foss	Reinke
Braun	Freed	Rue
Bridston	Krenz	Sandness
Brunsdale	Mehlhoff	Spiekermeier
Coghlan	Morgan	Strand
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	Olson, Barnes	Work
Flatt	Pyle	

Absent and not voting:

Shure

So the motion was declared lost.

Senate Bill No. 121

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Bjorlie	Lynch	Solberg
Blume	Morgan	Spiekermeier
Brant	Nelson, McKenzie	Strand
Braun	Nelson, Griggs-	Streibel
Bridston	Steele	Stucke
Coghlan	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Sandness	

Those voting in the negative were:

Brunsdale	Day	Duffy
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Absent and not voting:

Mehlhoff	Rue	Shure
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So the bill passed and the title was agreed to.

Senate Bill No. 122

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, McKenzie	Strand
Bridston	Nelson, Griggs-	Streibel
Brunsdale	Steele	Stucke
Coghlan	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Those voting in the negative were:

Day

Absent and not voting:

Mehlhoff	Shure
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So the bill passed and the title was agreed to.

Senate Bill No. 123

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Shure

So the bill passed and the title was agreed to.

Senate Bill No. 132

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Freed	Reinke
Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schoeder
Brant	Lynch	Schrock
Braun	Mehlhoff	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Torno
Duffy	O'Brien	Tuff
Feton	Olson, Mountrail	Wahlund
Flatt	Olson, Barnes	Welander
Foss	Page	Wolf
Fraser	Pyle	Work

Those voting in the negative were:

Kamrath	Stucke	Troxel
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Absent and not voting:

Morgan Shure

So the bill passed and the title was agreed to.

Senate Bill No. 133

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Bjorlie	Krenz	Reinke
Blume	Leno	Rue
Brant	Lichty	Sandness
Braun	Lynch	Schoeder
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Wahlund
Fraser	Page	Wolf
Freed	Pyle	Work

Those voting in the negative were:

Albers	Kamrath	Tuff
Bilden	Schrock	Welander
Duffy	Solberg	

Absent and not voting:

Mehlhoff	Morgan	Shure
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 140

Was read the second time.

Senator Lichty moved that Senate Bill No. 140 be amended as follows:

In line 2 after the word "townships," insert the following: "with the approval of a majority of the electors at the annual township meeting."

Which motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nelson, Griggs-	Stucke
Coghlan	Steele	Torno
Day	Nordhougen	Troxel
Duffy	O'Brien	Tuff
Feton	Olson, Mountrail	Wahlund
Flatt	Olson, Barnes	Welander
Foss	Page	Wolf

Fraser Reinke Work
Freed

Those voting in the negative were:

Pyle Strand

Absent and not voting:

Mehlhoff Shure

So the bill passed and the title was agreed to.

Senate Bill No. 230

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 19; nays, 28; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Day	Reinke
Bilden	Freed	Schoeder
Bjorlie	Kamrath	Stucke
Blume	Mehlhoff	Wahlund
Braun	Nordhousen	Wolf
Bridston	Olson, Mountrail	Work
Coghlan		

Those voting in the negative were:

Brant	Morgan	Schrock
Brunsdale	Nelson, McKenzie	Solberg
Duffy	Nelson, Griggs-	Spiekermeier
Feton	Steele	Strand
Flatt	O'Brien	Streibel
Foss	Olson, Barnes	Torno
Fraser	Page	Troxel
Leno	Pyle	Tuff
Lichty	Rue	Welander
Lynch	Sandness	

Absent and not voting:

Krenz Shure

So the bill was declared lost.

Senate Concurrent Resolution "J"

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, 19; nays, 29; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Nelson, McKenzie	Torno
Bilden	Olson, Mountrail	Troxel
Fraser	Schoeder	Tuff
Kamrath	Solberg	Wahlund
Krenz	Streibel	Welander
Leno	Stucke	Wolf
Lynch		

Those voting in the negative were:

Bjorlie	Flatt	Olson, Barnes
Blume	Foss	Page

Brant	Freed	Pyle
Braun	Lichty	Reinke
Bridston	Mehlhoff	Rue
Brunsdale	Morgan	Sandness
Coghlan	Nelson, Griggs-	Schrock
Day	Steele	Spiekermeier
Duffy	Nordhougen	Strand
Feton	O'Brien	Work

Absent and not voting:

Shure

So the Resolution was declared lost.

Senate Concurrent Resolution "N"

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Leno	Sandness
Blume	Lichty	Schoeder
Brant	Lynch	Schrock
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Rue	

Those voting in the negative were:

Albers Bjorlie

Absent and not voting:

Shure

So the Resolution passed and the title was agreed to.

Senate Bill No. 215

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke

Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Rue	

Those voting in the negative were:

Albers

Absent and not voting:

Flatt Shure

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Albers moved that the vote by which House Bill No. 124 was passed be reconsidered, which motion prevailed.

Senator Albers moved that House Bill No. 124 be re-referred to the Committee on Social Welfare for further amendment, which motion prevailed.

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 60, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 60 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 60

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work

Absent and not voting:

Bridston Shure

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 16

Was 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, 1; absent and not voting, 7.

Those voting in the affirmative were:

Albers	Kamrath	Page
Bilden	Krenz	Pyle
Bjorlie	Leno	Reinke
Blume	Lichty	Rue
Brant	Lynch	Schrock
Braun	Mehlhaff	Schoeder
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Strand
Duffy	Nelson, Griggs-	Streibel
Feton	Steele	Torno
Flatt	Nordhougen	Wahlund
Foss	O'Brien	Welander
Fraser	Olson, Mountrail	Wolf
Freed	Olson, Barnes	Work

Those voting in the negative were:

Solberg

Absent and not voting:

Bridston	Shure	Troxel
Day	Stucke	Tuff
Sandness		

So the bill passed and the title was agreed to.

House Bill No. 46

Senator Morgan moved that further action on House Bill No. 46 be deferred and that House Bill No. 46 be re-referred to the Committee on Appropriations, which motion prevailed.

House Bill No. 129

Was read the 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, 4; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Solberg
Bridston	Mehlhaff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	Nordhougen	Tuff
Flatt	O'Brien	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Those voting in the negative were:

Albers Olson, Mountrail Pyle
Bjorlie

Absent and not voting:

Shure Stucke

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 91. A Bill for an Act to Amend and Re-enact Section 26-2221 of the North Dakota Revised Code of 1943 Providing for the Time When Application for Hail Insurance Shall Become Effective, and Prescribing the Duties of the Hail Insurance Commissioner on Receipt of Application.

Was read the first time and referred to the Committee on Business and Industry.

House Bill No. 139. A Bill for an Act Authorizing the State of North Dakota to Transfer and Convey State School Lands, Lands Held by the State for the Use and Benefit of the State Historical Society or for the Use and Benefit of the State Game and Fish Commissioner, or Any Other Lands Owned by the State of North Dakota, All of Which Lands Are Within the Theodore Roosevelt National Memorial Park, to the United States, in Exchange for Federal Lands of Not Less Than Equal Value Lying Outside of Said Park, and Declaring an Emergency.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 185. A Bill for an Act to Amend and Reenact Section 43-1102 of the North Dakota Revised Code of 1943, Relating to Exemptions From the Provisions of Chapter 43-11 of Said Code, Relating to Hairdressers and Cosmetologists.

Was read the first time and referred to the Committee on General Affairs.

House Bill No. 223. A Bill for an Act to Amend and Reenact Section 35-0313 of the North Dakota Revised Code of 1943, Relating to Discharge of Real Estate Mortgage Not Renewed or Extended of Record.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 318. A Bill for an Act to Regulate the Promulgation of Rules or Regulations by Administrative Agencies of the State of North Dakota, and Declaring an Emergency.

Was read the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution "F". A Concurrent Resolution Providing for an Amendment to the Constitution of the State of North Dakota, Relating to Taxation and Authorizing the People or the Legislature to Subject Real Property to a Progressive Graduated Tax Increasing According to Area or Value or Both.

Was read the first time and referred to the Committee on Finance and Taxation.

House Concurrent Resolution "K". A Concurrent Resolu-

tion Petitioning Congress to Continue Adequate Appropriations to the Farmers Home Administration.

Was read the first time and referred to the Committee on Agriculture.

House Concurrent Resolution "N". A Concurrent Resolution Requesting the Commissioner of Internal Revenue to Extend Time of Filing Tax Returns by Farmers.

Was read the first time and referred to the Committee on Agriculture.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 98

Senate Concurrent Resolution "Q"

House Bill No. 12

And the President signed the same in the presence of the Senate.

Senator Bjorlie moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

THIRTY-SEVENTH DAY

Bismarck, February 9, 1949

The Senate convened at 2:00 p.m., the President presiding.
Prayer by the Chaplain, Major H. J. Nichols of Bismarck.
Roll Call: All Senators present except Senators Mehlhaff and Shure.

A quorum was declared present by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-sixth day and recommends that the same be corrected as follows:

Page 344, line 43, correct the spelling of the word "Revised."

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 148

Senate Bill No. 181

Senate Bill No. 227

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 60

Senate Bill No. 116

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 52, have had the same under consideration and recommend that the same be amended as follows:

In line 10 strike out the figure \$2,763,050.00 and insert the figure \$3,270,350.00 in lieu thereof.

In line 11 strike out the figure \$2,980,750.00 and insert the figure \$3,193,750.00 in lieu thereof.

In line 13 strike out the figure \$824,675.00 and insert the figure \$992,400.00 in lieu thereof.

In line 15 strike out the figure \$187,500.00 and insert the figure \$198,150.00 in lieu thereof.

In line 16 strike out the figure \$575,050.00 and insert the figure \$656,050.00 in lieu thereof.

In line 17 strike out the figure \$272,650.00 and insert the figure \$274,650.00 in lieu thereof.

In line 18 strike out the figure \$354,350.00 and insert the figure \$418,350.00 in lieu thereof.

In line 19 strike out the figure \$636,780.00 and insert the figure \$785,780.00 in lieu thereof.

In line 20 strike out the figure \$508,900.00 and insert the figure \$727,300.00 in lieu thereof.

In line 21 strike out the figure \$717,950.00 and insert the figure \$802,950.00 in lieu thereof.

In line 22 strike out the figure \$130,895.00 and insert the figure \$263,995.00 in lieu thereof.

In line 26 strike out the figure \$700,000.00 and insert the figure \$660,000.00 in lieu thereof.

In line 27 strike out the figure \$650,000.00 and insert the figure \$575,000.00 in lieu thereof.

After line 41 insert the following: "The State Auditor is hereby authorized and directed, upon the order of the State Board of Higher Education, to issue warrants against all funds deposited in the State Treasury including amounts over and above the Estimated Income, if any, provided however, that the limitation of Section 54-2710 of the North Dakota Revised Code of 1943 shall apply only to that part of the appropriation which is derived from the General Fund." and renumber the lines.

In line 50 strike out the figure \$1,925,000.00 and insert the figure \$2,000,000.00 in lieu thereof.

In line 52 strike out the figure \$190,000.00 and insert the figure \$200,000.00 in lieu thereof.

In line 60 strike out the figure \$2,948,350.00 and insert the figure \$3,033,350.00 in lieu thereof.

In line 61 strike out the figure \$700,000.00 and insert the figure \$660,000.00 in lieu thereof.

In line 62 strike out the figure \$2,248,350.00 and insert the figure \$2,373,350.00 in lieu thereof.

After line 64 insert the following two lines: "65 b. Additional Appropriation for Gymnasium \$275,000.00 and 66 c. Engineering Building \$400,000.00" and renumber the lines.

Strike out all of line 65.

In lines 66, 67 and 69 change the letters "c, d and e" to read "d, e and f".

In line 67 after the letter d strike out "Power Plant &" and strike out the figure \$34,700.00 and insert the figure \$92,000.00 in lieu thereof.

In line 70 strike out the figure \$2,763,050.00 and insert the figure \$3,270,350.00 in lieu thereof.

In line 72 strike out the figure \$1,735,000.00 and insert the figure \$1,800,000.00 in lieu thereof.

In line 77 strike out the figure \$495,000.00 and insert the figure \$500,000.00 in lieu thereof.

In line 81 strike out the figure \$2,777,150.00 and insert the figure \$2,847,150.00 in lieu thereof.

In line 82 strike out the figure \$650,000.00 and insert the figure \$575,000.00 in lieu thereof.

In line 83 strike out the figure \$2,127,150.00 and insert the figure \$2,272,150.00 in lieu thereof.

After line 96 insert the following two lines: "97 i. Remodel Veterinary Building \$43,000.00 and 98 j. Electric Wiring Rehabilitation \$25,000.00" and renumber the lines.

In line 97 strike out the figure \$2,980,750.00 and insert the figure \$3,193,750.00 in lieu thereof.

In line 101 strike out the figure \$370,075.00 and insert the figure \$450,000.00 in lieu thereof.

In line 102 strike out the figure \$40,500.00 and insert the figure \$44,000.00 in lieu thereof.

In line 108 strike out the figure \$50,000.00 and insert the figure \$75,000.00 in lieu thereof.

After line 110 insert lines 111 and 112 as follows: "5. Additional Appropriation for Corn Seedhouse, including Equipment \$25,000.00 and g. Land \$17,000.00" and renumber the lines.

In line 111 strike out the letter "g" and insert the letter "h" in lieu thereof.

In line 112 strike out the figure \$625,575.00 and insert the figure \$776,000.00 in lieu thereof.

In line 118 strike out the figure \$18,000.00 and insert the figure \$26,000.00 in lieu thereof.

In line 119 strike out the figure \$32,700.00 and insert the figure \$42,000.00 in lieu thereof.

In line 122 strike out the figure \$199,100.00 and insert the figure \$216,400.00 in lieu thereof.

In line 122 strike out the figure \$199,100.00 and insert the figure \$216,400.00 in lieu thereof.

In line 123 strike out the figure \$824,675.00 and insert the figure \$992,400.00 in lieu thereof.

In line 130 strike out the figure \$11,700.00 and insert the figure \$15,700.00 in lieu thereof.

After line 134 insert line 135 as follows: "10. Poultry Marketing \$6,650.00" and renumber the lines.

In line 135 strike out the figure "10" and insert the figure "11" in lieu thereof.

In line 136 strike out the figure \$187,500.00 and insert the figure \$198,150.00 in lieu thereof.

In line 138 strike out the figure \$240,000.00 and insert the figure \$245,000.00 in lieu thereof.

In line 139 strike out the figure \$14,500.00 and insert the figure \$15,500.00 in lieu thereof.

In line 150 strike out the figure \$475,050.00 and insert the figure \$481,050.00 in lieu thereof.

In line 152 strike out the figure \$375,050.00 and insert the figure \$381,050.00 in lieu thereof.

In line 154 after the word "Education" insert ", Equipment and Remodel Stage" and strike out the figure \$200,000.00 and insert the figure \$275,000.00 in lieu thereof.

In line 155 strike out the figure \$575,050.00 and insert the figure \$656,050.00 in lieu thereof.

In line 158 strike out the figure \$8,000.00 and insert the figure \$10,000.00 in lieu thereof.

In line 166 strike out the figure \$338,150.00 and insert the figure \$340,150.00 in lieu thereof.

In line 168 strike out the figure \$243,150.00 and insert the figure \$245,150.00 in lieu thereof.

In line 172 strike out the figure \$272,650.00 and insert the figure \$274,650.00 in lieu thereof.

In line 174 strike out the figure \$230,000.00 and insert the figure \$241,000.00 in lieu thereof.

In line 176 strike out the figure \$35,000.00 and insert the figure \$38,000.00 in lieu thereof.

In line 181 strike out the figure \$15,000.00 and insert the figure \$17,000.00 in lieu thereof.

In line 183 strike out the figure \$406,350.00 and insert the figure \$422,350.00 in lieu thereof.

In line 185 strike out the figure \$311,350.00 and insert the figure \$327,350.00 in lieu thereof.

In line 188 after the letter "b." strike out "Rewire &" and strike out the figure \$12,000.00 and insert the figure \$60,000.00 in lieu thereof.

In line 191 strike out the figure \$354,350.00 and insert the figure \$418,350.00 in lieu thereof.

In line 193 strike out the figure \$490,000.00 and insert the figure \$550,000.00 in lieu thereof.

In line 195 strike out the figure \$58,000.00 and insert the figure \$62,000.00 in lieu thereof.

In line 198 strike out the figure \$150,000.00 and insert the figure \$160,000.00 in lieu thereof.

In line 202 strike out the figure \$801,780.00 and insert the figure \$875,780.00 in lieu thereof.

In line 204 strike out the figure \$611,780.00 and insert the figure \$685,780.00 in lieu thereof.

After line 206 insert line 207 as follows: "b. Additional Appropriation Physical Education Building and Equipment \$75,000.00" and renumber the lines.

In line 207 strike out the figure \$636,780.00 and insert the figure \$785,780.00 in lieu thereof.

In line 209 strike out the figure \$372,000.00 and insert the figure \$380,000.00 in lieu thereof.

In line 210 strike out the figure \$18,000.00 and insert the figure \$19,400.00 in lieu thereof.

In line 211 strike out the figure \$41,000.00 and insert the figure \$45,000.00 in lieu thereof.

In line 215 strike out the figure \$25,000.00 and insert the figure \$30,000.00 in lieu thereof.

In line 218 strike out the figure \$649,900.00 and insert the figure \$668,300.00 in lieu thereof.

In line 220 strike out the figure \$499,900.00 and insert the figure \$518,300.00 in lieu thereof.

After line 223 insert line 224 as follows: "b. New Library and Equipment \$200,000.00" and renumber the lines.

In line 224 strike out the figure \$508,900.00 and insert the figure \$727,300.00 in lieu thereof.

In line 232 strike out the figure \$35,000.00 and insert the figure \$45,000.00 in lieu thereof.

In line 235 strike out the figure \$752,950.00 and insert the figure \$762,950.00 in lieu thereof.

In line 237 strike out the figure \$507,950.00 and insert the figure \$517,950.00 in lieu thereof.

In line 240 after the word "Gymnasium" insert "Equipment and Remodel present Gymnasium" and strike out the figure \$175,000.00 and insert the figure \$250,000.00 in lieu thereof and renumber the lines.

In line 241 strike out the figure \$717,950.00 and insert the figure \$802,950.00 in lieu thereof.

In line 248 strike out the figure \$23,000.00 and insert the figure \$24,000.00 in lieu thereof.

In line 249 strike out the figure \$47,500.00 and insert the figure \$49,000.00 in lieu thereof.

In line 253 strike out the figure \$190,895.00 and insert the figure \$193,395.00 in lieu thereof.

In line 255 strike out the figure \$130,895.00 and insert the figure \$133,395.00 in lieu thereof.

After line 255 add the following lines and renumber the remaining lines:

"256	10. Buildings & Special Projects:	
257	a. Additional Appropriation for	
258	Building & Equipment	\$125,000.00
259	b. Farm Forestry Program	5,600.00
260	Total	<u>\$263,995.00"</u>

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 56, have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure \$20,950.00 and insert the figure \$21,550.00 in lieu thereof.

After line 18 insert line 19 to read as follows: "Extraordinary Expenses—Back-pay Salary \$600.00" and renumber the remaining line.

In line 19 strike out the figure \$20,950.00 and insert the figure \$21,550.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 69, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 80, have had the same under consideration and recommend that the same be amended as follows:

In line 4 strike out the figure \$315,140.00 and insert the figure \$321,640.00 in lieu thereof.

In line 9 strike out the figure \$160,000.00 and insert the figure \$165,000.00 in lieu thereof.

In line 15 strike out the figure \$7,500.00 and insert the figure \$9,000.00 in lieu thereof.

In line 23 strike out the figure \$315,140.00 and insert the figure \$321,640.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 101, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 119, 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 amendment:

For an Act to amend and reenact section 57-3826, subsection 1 of section 57-3827, section 57-3829 and subsections 1, 2, and 4 of section 57-3831 of the North Dakota Revised Code of 1943, as amended, relating to income tax.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT.) Section 57-3826 of

1a the

2 1947 Supplement to the North Dakota Revised Code of

2a 1943

3 is hereby amended and reenacted to read as follows:

4 57-3826. EXEMPTION FOR INDIVIDUALS.) For

4a the

5 purpose of the tax on individuals, there shall be
5a deducted
6 from the net income, the following exemptions:
7 (((1. In the case of a single individual, an exemption
7a of
8 five hundred dollars;
9 2. In case of a head of a family or married individual
10 living with husband or wife, a personal exemption
11 of fifteen hundred dollars. A husband and wife
12 living together shall receive but one personal
13 exemption of fifteen hundred dollars against their
14 aggregate net income, and in case they make sep-
15 arate returns, the personal exemption of fifteen
16 hundred dollars may be taken by either or divided
17 between them;
18 3. Five hundred dollars for each individual, other
18a than
19 husband or wife, dependent upon and receiving
19a chief
20 support from the taxpayer, if such dependent
21 individual is under eighteen years of age or is
22 incapable of self-support because mentally or
23 physically defective or incapacitated, but an
24 exemption may be claimed for a child over the age
25 of eighteen years and under the age of twenty-
25a one
26 years if dependent upon the taxpayer for support
27 and attending an educational institution.
28 HEAD OF HOUSEHOLD: If the taxpayer would
28a not
29 occupy the status of head of family except by
30 reason of there being one or more dependents
31 for whom he could be entitled to credit, the
32 credit shall be disallowed with respect to one of
33 such dependents.)))
34 1. An exemption of six hundred dollars for the tax-
35 payer, and an additional exemption of six hundred
36 dollars for the spouse of the taxpayer if a
37 separate return is made by the taxpayer, and ..
37a if the
38 spouse, for the calendar year in which the taxable
39 year of the taxpayer begins, has no gross income
40 and is not the dependent of another taxpayer;
41 2. An additional exemption of six hundred dollars
41a for
42 the taxpayer if he has attained the age of sixty-
43 five before the close of his taxable year. An
44 additional exemption of six hundred dollars for
45 the spouse of the taxpayer if a separate return is
46 made by the taxpayer, and if the spouse has
47 attained the age of sixty-five before the close of
48 such taxable year, and, for the calendar year in
49 which the taxable year of the taxpayer begins,
50 has no gross income and is not the dependent of
51 another taxpayer;
52 3. An additional exemption of six hundred dollars
53 for the taxpayer if he is blind at the close of
54 his taxable year. An additional exemption of six
55 hundred dollars for the spouse of the taxpayer if

56 a separate return is made by the taxpayer, and if
57 the spouse is blind and, for the calendar year in
58 which the taxable year of the taxpayer begins,
58a has
59 no gross income and is not the dependent of
59a another
60 taxpayer. For the purposes of this subsection the
61 determination of whether the spouse is blind shall
62 be made as of the close of the taxable year of the
63 taxpayer, unless the spouse dies during such
63a taxable
64 year, in which case such determination shall be
64a made
65 as of the time of such death. For the purposes of
66 this subsection an individual is blind only if
67 either: his central visual acuity does not exceed
68 20/200 in the better eye with correcting lenses, or
69 his visual acuity is greater than 20/200 but is
70 accompanied by a limitation in the fields of vision
71 such that the widest diameter of the visual field
72 subtends an angle no greater than 20 degrees;
73 4. An exemption of six hundred dollars for each
74 dependent whose gross income for the calendar
74a year
75 in which the taxable year of the taxpayer
75a begins is
76 less than five hundred dollars, except that the
77 exemption shall not be allowed in respect of a
78 dependent who has made a joint return with his
79 spouse. The term "dependent" means any of the
80 following persons over half of whose support, for
81 the calendar year in which the taxable year of the
82 taxpayer begins, was received from the taxpayer;
83 a. A son or daughter of the taxpayer, or a
84 descendant of either;
85 b. A stepson or stepdaughter of the taxpayer;
86 c. A brother, sister, stepbrother, or stepsister
87 of the taxpayer;
88 d. The father or mother of the taxpayer, or an
89 ancestor of either;
90 e. A stepfather or stepmother of the taxpayer;
91 f. A son or daughter of a brother or sister of
92 the taxpayer;
93 g. A brother or sister of the father or mother
94 of the taxpayer; and
95 h. A son-in-law, daughter-in-law, father-in-law,
96 mother-in-law, brother-in-law, or sister-in-law
97 of the taxpayer.
98 The terms "brother" and "sister" include a brother or
99 sister by the half-blood. For the purpose of determining
100 whether any of the foregoing relationships exist, a
101 legally adopted child of a person shall be considered a
102 child of such person by blood. The term "dependent"
103 does not include any individual who is a citizen or sub-
104 ject of a foreign country unless such individual is a
105 resident of the United States or of a country contiguous
106 to the United States.
107 SECTION 2. AMENDMENT.) Subsection 1 of
107a section

108 57-3827 of the North Dakota Revised Code of 1943 is
109 hereby amended and reenacted to read as follows:
110 57-3827. EXEMPTIONS FOR FIDUCIARIES.)
110a For the
111 purpose of the tax on fiduciaries, there shall be deducted
112 from the net income the following:

- 113 1. If taxable under the provisions of subsection 1
114 of section 57-3807, a personal exemption of
115 ((five)) six hundred dollars;

116 SECTION 3. AMENDMENT.) Section 57-3829 of
116a the
117 North Dakota Revised Code of 1943 is hereby amended
117a and

- 118 reenacted to read as follows:

119 57-3829. RATE OF TAX ON INDIVIDUALS;

119a JOINT

120 RETURN OF HUSBAND AND WIFE.) A tax is
120a hereby imposed

121 upon every individual, to be levied, collected, and paid
122 annually with respect to the entire net income of such
123 individual as defined in this chapter, computed at the
124 following rates:

- 125 1. On all net incomes, above exemptions, and not
126 in excess of two thousand dollars, a tax of one
127 percent;
- 128 2. On all net incomes, above exemptions, in excess of
129 two thousand dollars and not in excess of four
130 thousand dollars, a tax of two percent;
- 131 3. On all net incomes, above exemptions, in excess of
132 four thousand dollars and not in excess of five
133 thousand dollars, a tax of three percent;
- 134 4. On all net incomes, above exemptions, in excess
135 of five thousand dollars and not in excess of
136 six thousand dollars, a tax of five percent;
- 137 5. On all net incomes, above exemptions, in excess
138 of six thousand dollars and not in excess of
139 eight thousand dollars, a tax of seven and one-
140 half percent;
- 141 6. On all net incomes, above exemptions, in excess
142 of eight thousand dollars and not in excess of
143 ten thousand dollars, a tax of ten percent;
- 144 7. On all net incomes, above exemptions, in excess
145 of ten thousand dollars and not in excess of
146 fifteen thousand dollars, a tax of twelve and
147 one-half percent;
- 148 8. On all net incomes, above exemptions, in excess
149 of fifteen thousand dollars, a tax of fifteen
150 percent.

151 In the case of a joint return of husband and wife the
152 tax shall be twice the amount of the tax that would
153 be payable if the net income, above exemptions, were
154 reduced by one-half.

155 SECTION 4. AMENDMENT.) Subsection 1, 2, and
156 4 of section 57-3831 of the North Dakota Revised Code
157 of 1943 as amended.

158 57-3331. DUTY OF INDIVIDUALS TO MAKE
158a RETURN.)

159 The following individuals shall be required to make
160 returns:

- 161 1. Each individual subject to taxation under the

162 provisions of this chapter, having a net income
 163 during the income year of ~~((five))~~ six
 164 hundred dollars or over, if single, or if
 165 married and not living with husband or wife, or
 166 having a net income for the fiscal year of
 167 ~~((fifteen))~~ twelve hundred dollars or over, if
 168 married and living with husband or wife, and
 169 every individual having a gross income during the
 170 income year of five thousand dollars or more,
 171 regardless of the amount of his net income, shall
 172 make a return, which shall contain or be verified
 173 by a written declaration that it is made under
 174 the penalties of perjury stating specifically
 175 the items of his gross income and the deductions
 176 and exemptions allowed by this chapter and
 177 claimed by him;

178 2. If a husband or wife living together have an
 179 aggregate net income of ~~((fifteen))~~ twelve
 180 hundred dollars or over, each shall make such a
 181 return, unless the income of each is included in
 182 a single joint return;

183 4. Every fiduciary subject to taxation under the
 184 provisions of this chapter shall make a return
 185 under oath for the individual estate or trust
 186 for which he acts, if the net income thereof
 187 amounts to ~~((five))~~ six hundred dollars or
 188 over;

And when so amended recommend the same then be placed on the calendar without recommendation.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Labor Relations to whom was referred Senate Bill No. 120, have had the same under consideration and recommend that the same be amended as follows:

In Lines 215, 220, 226 and 227 strike out the word "dependency" and insert, in lieu thereof, the word "dependents".

And when so amended recommend the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 129, have had the same under consideration and recommend that the same do pass.

Wm. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 141, have had the same under consideration and recommend that the same be amended as follows:

In Line 2, strike out the words "and directed";

In Line 3, after the word helicopter insert the following language: "or other suitable aircraft";

In Lines 12, 16, 23 and 24, and 29, strike out the word "helicopter" and insert in lieu thereof the word "aircraft".

Renumber the lines if necessary.

And when so amended re-refer to Committee on Appropriations.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 154, have had the same under consideration and recommend that the same be indefinitely postponed.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 159, have had the same under consideration and recommend that the same be indefinitely postponed.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 163, have had the same under consideration and recommend that the same do pass.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Labor Relations to whom was referred Senate Bill No. 166, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 167, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 182, have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 196, have had the same under consideration and recommend that the same do pass.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 198, have had the same under consideration and recommend that the same do pass.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 213, have had the same under consideration and recommend that the same be amended as follows:

In line 12 after the word "necessary" insert the following: "to be paid upon the order of the Industrial Commission".

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 234, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "F", have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the word "resolution" in the title, and insert, in lieu thereof, the following:

"providing for the amendment of the Constitution of the State of North Dakota pertaining the appointment of guardians.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

The following proposed amendment to the Constitution of the State of North Dakota is agreed to and shall be submitted to the qualified electors of the State of North Dakota for approval or rejection at the primary election in June, 1950 in accordance with the provisions of section 202 of the Constitution of the State of North Dakota as amended.

SECTION 1. AMENDMENT.) The Constitution of the State of North Dakota is hereby amended to add the following section:

Juvenile courts, as now or hereafter established by law, shall have concurrent jurisdiction with county courts in the matter of the appointment of guardians of the persons of minors."

Renumber the lines.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "G", have had the same under consideration and recommend that the same be amended as follows:

On line 18, strike out everything after the word "provided";

Strike out all of Lines 19 and 20;

On line 21, strike out the word "further";
 On line 22, strike out everything after the word "less";
 On line 23, strike out the words "increased jurisdiction";
 On line 24, strike out the words "provided further that";
 On line 27, at the end of the line, add the following language:

"The treasurer of any county shall not hold his office for more than four years in succession."

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Labor Relations to whom was referred House Bill No. 31, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 114, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber
 Bismarck, February 9, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 121
 Senate Bill No. 122
 Senate Bill No. 123
 Senate Bill No. 132
 Senate Bill No. 133
 Senate Bill No. 140
 Senate Bill No. 192
 Senate Bill No. 215
 Senate Concurrent Resolution "N"

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.
 Senate Chamber
 Bismarck, February 9, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 98
 Senate Concurrent Resolution "Q"

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.
 Senate Chamber
 Bismarck, February 9, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 16
 House Bill No. 129

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 9, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 136

House Concurrent Resolution "E"

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 9, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 12

Which the President has signed.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 9, 1949

Mr. President: I have the honor to return:

Senate Bill No. 2

Which the House has amended, as follows:

In line five (5) of the Title strike out the words "September 16, 1940," and insert therein the words "January 1, 1941." In line six (6) of the Title strike out the words "September 2, 1945", and insert therein the words "January 1, 1946".

In line five of page 2 strike out the words "September 16, 1940", and insert therein the words "January 1, 1941", and in the same line strike out the words "September 2, 1945", and insert therein the words "January 1, 1946".

GEORGE OLSON, Chief Clerk.

CONSIDERATION OF AMENDMENTS

Senator Flatt moved that the amendments to Senate Bill No. 24 be adopted, which motion prevailed.

Senator Day moved that the amendments to Senate Bill No. 189 be adopted, which motion prevailed.

Senator Day moved that the amendments to Senate Bill No. 204 be adopted, which motion prevailed.

Senator Day moved that the amendments to Senate Bill No. 209 be adopted, which motion prevailed.

MOTIONS

Senator Sandness moved that the action by which Senate Bill No. 190 was indefinitely postponed be reconsidered, which motion was declared lost.

SECOND READING OF SENATE BILLS

Senate Bill No. 128

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 14; absent, and not voting, 1.

Those voting in the affirmative were:

Bilden	Leno	Schoeder
Bjorlie	Lichty	Solberg
Blume	Lynch	Spiekermeier
Bridston	Mehlhoff	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	Nordhougen	Tuff
Fraser	Olson, Mountrail	Wahlund
Freed	Page	Welander
Kamrath	Reinke	Wolf
Krenz	Sandness	

Those voting in the negative were:

Albers	Foss	Rue
Brant	Morgan	Schrock
Braun	O'Brien	Strand
Coghlan	Olson, Barnes	Work
Flatt	Pyle	

Absent and not voting:

Shure

So the bill passed and the title was agreed to.

Senator Reinke moved that the vote by which Senate Bill No. 128 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 148

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Solberg
Brant	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Feton	O'Brien	Torno
Foss	Olson, Mountrail	Troxel
Fraser	Olson, Barnes	Tuff
Freed	Page	Wahlund
Kamrath	Reinke	Welander
Krenz	Rue	Wolf
Leno		

Those voting in the negative were:

Albers	Flatt	Sandness
Braun	Morgan	Work
Duffy	Pyle	

Absent and not voting:

Day Shure

So the bill passed and the title was agreed to.

Senator Schrock moved that Senate Bill No. 181 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 183

Was read the second time.

Senator Streibel: Generally speaking we legislators when discussing freedom think only in terms of civil actions. We then remember only the one bell in the tower of Independence Hall, Philadelphia—proclaiming “liberty to all the inhabitants throughout all the land,” on July the fourth in the year of 1776.

The domination of the Puritan religion which not only blighted all efforts toward religious freedom but caused to be hanged the Jesuit priest who perhaps did more for the savage Indian than any other denomination is hardly ever mentioned. How sadly time points our memories back to the days when both Catholics and Protestants suffered the punishment of the damned because they dared to differ in religious doctrine from the accepted belief of the Puritans. Lest we forget entirely the birth of religious freedom in America let me remind you today of a sister bell to that in Independence Hall. This Liberty Bell was placed in the Baptists church built at Providence, Rhode Island in 1774 and dedicated May 28, 1775—a little over a year before its famous “sister bell.” And thus it came about that Roger Williams who fled from the savage christians in Massachusetts to find refuge among the christian savages “the Indians” in Rhode Island proclaimed Religious Freedom a little over a year before Civil Liberty was announced.

Since that memorable day religious freedom has gained in stature, power and beneficent influence until it touches the farthestmost places on earth. Tens of thousands of church spires in the fertile valleys as well as on the dry hilltops throughout this great nation are witnesses to this greatest of all American achievements.

The result of this growth is that today the amplitude of benevolence as practiced in our churches is great enough to shelter under its protecting wings even the athiest, the agnostic, the heretic, the iconoclast.

Having faith, not in one only but in all denominations as we find them in our land is the reason why I'm now raising my voice in defense of the interest of the Baptist's Old People's Home here in Bismarck. Moreover I rise for the purpose of responding to the personal challenge of an unscrupulous horse trader. A horse trader who had the boldness to have me called from my work-desk while the senate was in session, for the sole purpose of lobbying against one of my favorite bills. The only merit, if any, in connection with the whole incident was its brevity. A brevity brought about by me immediately after I had detected the odor of cancerous greed in his effluvia during the course of our conversation. Not only did he affront me with lies but others too, as was evidenced by the unfounded rumor that he was willing to pay \$2000 for the real estate to which my bill if passed will give a clear title. I say clear title because the Baptists according to the Attorney Generals' opinion have had for six years and still have a conditional title to this property. This conditional provision in their present deed says: “in the event that this land is ever used for any purpose, other than in connection with an Old People's Home it will automatically revert back to the state. Naturally under this agreement no loaning

agency would loan them money for the construction of a building. So they were compelled to build this \$175,000 home on their own ground which joins on the east side that which they received from the state. They contemplate building a Superintendent's residence and perhaps later on a few cottages for old people on this ground in question at some future date. For this reason they want all restrictions from the title removed thus enabling them to borrow money if need be in years to come. This and no more is what Senate Bill No. 183 if passed, will do.

The birds and fowls under the heavens together with the beasts on the earth have been given protection by the citizens of North Dakota by means of game refuges that cover thousands of acres. Other thousands of acres have been set aside and designated as parks which serve as playgrounds for young and old people alike. When we removed this acreage from the grasp of the exploiter we did well. The tacit consent of the public bears out the truth of this statement. In the light of these facts is it asking too much when I want a clear title to—not thousands of acres but a mere pittance of two to three acres which is to serve as a haven of rest for the aged. Are these way worn pilgrims not justified in asking that they be at least placed on a par with the birds and wild beasts of this state? Should not these pioneers, these patriots receive priority over all humanity during the late afternoon of their lives? Would it not be a token of gratitude on our part to permit the few remaining grains of sand to trickle through their hour glass in a beautiful home at the foot of our Capitol grounds? To all these questions Milo Calkins' the horse traders' answer is no. He believes not in the maxim which says: love thy neighbor. His maxim if it conforms with his actions must be, shove thy neighbor. Shove the old patriarchs from the face of the earth if need be to make room for my horses. The North Dakota senate's answer to these questions six years ago was a unanimous yes. When the question on Senate Bill No. 183 will be put today I'm confident Mr. President the Senate of 1949 will again reply with a yes vote.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhogen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf

Freed Reinke Work
Kamrath

Absent and not voting:

Shure

So the bill passed and the title was agreed to.

Senator Morgan moved that the title to Senate Bill No. 183 be amended as follows: By striking out paragraphs two and three of the title to said bill, which motion prevailed.

Senator Streibel moved that the President of the Senate prepare a warrant of arrest for Milo Calkins, the man I mentioned in my speech here for the purpose of hailing him before the Senate body for trial at three o'clock P. M., on February 11th.

Senator Streibel requested a call of the Senate.

Senator Brunsdale moved for a call of the Senate, which motion prevailed.

Senator Brunsdale moved that the call of the Senate be dispensed with, which motion prevailed.

ROLL CALL

The question being on the motion of Senator Streibel that the President of the Senate prepare a warrant of arrest for Milo Calkins, the roll was called and there were ayes, 26; nays, 17; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Kamrath	Schoeder
Bjorlie	Krenz	Strand
Braun	Leno	Streibel
Bridston	Lichty	Tuff
Brunsdale	Lynch	Wahlund
Day	Nordhougen	Welanders
Duffy	Olson, Mountrail	Wolf
Feton	Page	Work
Fraser	Reinke	

Those voting in the negative were:

Albers	Freed	Rue
Blume	Mehlhoff	Sandness
Brant	Morgan	Spiekermeier
Coghlan	O'Brien	Torno
Flatt	Olson, Barnes	Troxel
Foss	Pyle	

Absent and not voting:

Nelson, McKenzie	Schrock	Solberg
Nelson, Griggs- Steele	Shure	Stucke

Senator Brunsdale moved that after the reading of Senate Bills No. 181, No. 197, No. 217, No. 227, Senate Concurrent Resolution "H", House Bills No. 13, 100 and 116 that the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

Senate Bill No. 197

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bjorlie	Leno	Schoeder
Blume	Lichty	Schrock
Brant	Lynch	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Bilden	Mehlhoff	Shure
Day	Nordhougen	Stucke
Fraser	Page	

So the bill passed and the title was agreed to.

Senate Bill No. 217

Was read the second time.

Senator Brant moved that further action on Senate Bill No. 217, be delayed one legislative day, which motion prevailed.

Senate Bill No. 227

Was read the second time.

Senator Mehlhoff: Senate Bill 227 provides for the automatic licensure upon graduation from schools of higher learning and trade schools under the supervision of both the Board of Administration and the Board of Higher Education.

This means that in the future, if this law is passed, no examinations now provided for under the various professional practice acts will be given to state graduates. Examinations by professional boards originated in order to raise the standards of various professional schools. The amount of training received in professional schools until the adoption of the practice of requiring board examinations was very poor. Professional people were ill trained and the public suffered. Since the giving of examinations by the State Boards have become widespread, the quality of professional schools has decidedly improved. The professional people now must be well trained and the public is protected as well as can be from the incompetent professional man.

In order for the various states to make sure that incompetent people do not come in from the outside, rules of reciprocity have been established among the various states. These rules seek to guarantee that professional people coming in from outside the state will have approximately the same training as the people graduated from institutions within the state and become professional men by passing the State Board.

Senate Bill 227 will without any doubt spoil the reciprocity standing of North Dakota professional men in practically all professional fields. The professional schools in North Dakota

will therefore become unpopular schools and the University and other institutions of higher learning will without a doubt have difficulty in obtaining enrollees in their professional schools because the enrollee will understand at the outset that he is trained to practice his profession only in North Dakota and that if the opportunity presents itself for him to make an advantageous professional connection for his work outside of North Dakota, he will know that he will not be entitled to reciprocity in the state to which he wishes to move.

Several of the professions like the medical profession have periods of internship after graduation from school. This law would automatically knock out the requirement of internship because it would permit full licensure upon graduation. In the case of medicine this would be exceedingly bad because the student is largely confined to academic learning during his medical course and must for the first time gain practical and useful knowledge and experience thru his internship period under the direction of a physician.

This law, for all professions, is a big step backwards and will go far in destroying the quality of professional men in all fields in North Dakota.

Senator Streibel moved that Senate Bill No. 227 be amended as follows: In line 2 of the printed bill strike out the words "or professional", and in line 6 of the printed bill strike out the words "or professional", which motion prevailed.

Senator Streibel moved that the rules be suspended and that Senate Bill No. 227 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

Senator Solberg moved that further consideration of Senate Bill No. 227, as amended, be indefinitely postponed.

Senator Day made a substitute motion that Senate Bill No. 227 be amended as follows: That the word "trade" be stricken wherever it appears in the bill, which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 227 be deemed properly re-engrossed and placed upon second reading and final passage as re-amended, which motion prevailed.

Senator Solberg: I wish to renew my motion.

The question being on the motion of Senator Solberg that Senate Bill No. 227 be indefinitely postponed, which motion prevailed.

The President called the President Pro Tem to the Chair.

SECOND READING OF SENATE RESOLUTION

Senate Concurrent Resolution "H"

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, 20; nays, 28; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Lynch	Stucke
Bjorlie	Nelson, McKenzie	Troxel
Blume	Olson, Mountrail	Tuff
Fraser	Schoeder	Wahlund
Kamrath	Schrock	Welander

Leno	Solberg	Wolf
Lichty	Streibel	
Those voting in the negative were:		
Bilden	Foss	Page
Brant	Freed	Pyle
Braun	Krenz	Reinke
Bridston	Mehlhoff	Rue
Brunsdale	Morgan	Sandness
Coghlan	Nelson, Griggs-	Spiekermeier
Day	Steele	Strand
Duffy	Nordhougen	Torno
Feton	O'Brien	Work
Flatt	Olson, Barnes	

Absent and not voting:

Shure

So the Resolution was declared lost.

Senator Brunsdale moved that the vote by which Senate Concurrent Resolution "H" was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 181

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work

Absent and not voting:

Albers

Shure

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 113. A Bill for an Act Validating Title to All Lands Acquired by Any County of This State Through Tax Deed Proceedings Prior to July 1, 1939, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Judiciary.

House Bill No. 162. A Bill for an Act Authorizing the County Commissioners in Any County in This State, Upon Application by a Duly Organized County Hospital Association, to Make a Levy for Not More Than Five Years Not to Exceed Eight Mills in Any One Year Upon the Assessed Valuation of the Property in the County for the Construction of a County Hospital, and Equipment.

Was read for the first time and referred to the Committee on Finance and Taxation.

House Bill No. 169. A Bill for an Act to Amend and Reenact Subdivision 4 of Section 26-1110 of the North Dakota Revised Code of 1943, Relating to Pensions for Officers and Directors of Domestic Life Insurance Companies.

Was read for the first time and referred to the Committee on Industry and Business.

House Bill No. 170. A Bill for an Act Creating Subsection 13 of Section 26-0811 of the 1947 Supplement to the North Dakota Revised Code of 1943; Amending Section 26-0812 of the 1947 Supplement to the North Dakota Revised Code of 1943, and Section 26-0813 of the North Dakota Revised Code of 1943; Relating to Investment in and Holding of Real Estate Other Than Farm Property by Domestic Insurance Companies.

Was read for the first time and referred to the Committee on Industry and Business.

House Bill No. 182. A Bill for an Act Authorizing the Superintendent of Public Instruction and School Districts to Enter Into Certain Agreements Pertaining to Public Education.

Was read for the first time and referred to the Committee on Education.

House Bill No. 191. A Bill for an Act Creating Subsection 69 of Section 40-0501 of the North Dakota Revised Code of 1943, Relating to Powers of Municipalities and Authorizing Municipal Governing Bodies to Acquire, Construct, Maintain, Operate, Finance and Control Public Rest Rooms and Facilities, Acquire the Necessary Real Estate Therefor by Purchase and Eminent Domain, and to Adopt Ordinances Regulating the Same.

Was read for the first time and referred to the Committee on Political Subdivision.

House Bill No. 227. A Bill for an Act Providing for Appeal to the District Court From Decision of Annexation Review Commission Relating to the Annexation of Territory by City; Providing for the Filing and Service of Notice of Appeal and Undertaking for Appeal and Providing for Determination by the District Court, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Judiciary.

House Bill No. 235. A Bill for an Act Providing That Clerks of District Courts, in Which Decrees of Divorce, or Judgments of Annulments of Marriages Have Been Entered, to Furnish Information to the State Registrar of Vital Statistics Relating to Such Decrees or Judgments.

Was read for the first time and referred to the Committee on Social Welfare.

House Bill No. 245. A Bill for an Act to Amend and Reenact Sections 57-15061 and 57-15062 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to County Tax Levy for Farm to Market Road, Election Thereof and the Fund Raised and Use Thereof.

Was read for the first time and referred to the Committee on Transportation.

House Bill No. 253. A Bill for an Act Establishing the Doctrine of Comparative Negligence in Tort Actions.

Was read for the first time and referred to the Committee on Judiciary.

House Bill No. 274. A Bill for an Act to Amend and Re-enact Section 50-0705 of the North Dakota Revised Code of 1943 Relating to Ownership of Property or Insurance Policy Does Not Preclude Granting of Assistance: Transferred in Trust.

Was read for the first time and referred to the Committee on Social Welfare.

House Bill No. 287. A Bill for an Act Requiring Municipalities to Maintain in Sanitary Condition Roads Leading to Grounds for the Disposal of Garbage, and Setting Forth Exceptions to the Application of Said Act.

Was read for the first time and referred to the Committee on Transportation.

House Bill No. 304. A Bill for an Act to Amend and Reenact Section 20-0611 of the North Dakota Revised Code of 1943 Relating to the Maintaining of Fish Houses or Structures Used for Fishing Through the Ice.

Was read for the first time and referred to the Committee on Natural Resources.

House Concurrent Resolution "O". A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Authorizing the Legislative Assembly to Fix the Compensation and Expenses of the Elective Officers of the State and of the Members of the Legislative Assembly, and Repealing Section 45 of Section 84 of the Constitution of the State of North Dakota.

Was read for the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution "U." A Concurrent Resolution Relating to Chaplain Service.

Was read for the first time.

Senator Streibel moved that the rules be suspended and that House Concurrent Resolution "U", be placed upon second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE RESOLUTION

House Concurrent Resolution "U"

ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness

Bjorlie	Lichty	Schrock
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, McKenzie	Strand
Bridston	Nelson, Griggs-	Streibel
Brunsdale	Steele	Stucke
Coghlan	Nordhougen	Torno
Day	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Flatt	Page	Welander
Foss	Pyle	Wolf
Freed	Reinke	Work
Kamrath		
Absent and not voting:		
Fraser	Schoeder	Shure
Lynch		

So the resolution passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 13

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Pyle	Work
Kamrath	Reinke	

Absent and not voting:

Albers	Shure	Strand
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So the bill passed and the title was agreed to.

House Bill No. 100

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 17; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Fraser	Reinke
Blume	Freed	Rue
Brant	Kamrath	Sandness

Braun	Krenz	Schrock
Bridston	Lichty	Spiekermeier
Brunsdale	Mehlhoff	Troxel
Duffy	Morgan	Wahlund
Feton	O'Brien	Welander
Flatt	Page	Work
Foss	Pyle	

Those voting in the negative were:

Bjorlie	Nordhougen	Streibel
Coghlan	Olson, Mountrail	Stucke
Day	Olson, Barnes	Torno
Leno	Schoeder	Tuff
Nelson, McKenzie	Solberg	Wolf
Nelson, Griggs- Steele	Strand	

Absent and not voting:

Albers	Lynch	Shure
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So the bill passed and the title was agreed to.

House Bill No. 116

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs- Steele	Streibel
Coghlan		Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work

Absent and not voting:

Lynch	Shure
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So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 9, 1949

Mr. President: I have the honor to return:

Senate Bill No. 98

Senate Concurrent Resolution "Q"

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 9, 1949

Mr. President: I have the honor to inform you that the

House has adopted the report of the Conference Committee on House Bill No. 74.

GEORGE OLSON, Chief Clerk.

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 74 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 74, have had the same under consideration and recommend that the House concur with the Senate Amendments.

For the Senate:

RILIE R. MORGAN
R. M. STREIBEL
WALTER TROXEL

For the House:

WALTER BUBEL
A. C. JOHNSON
M. T. LILLEHAUGEN

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Krenz moved that the Senate do not concur in the House amendment to Senate Bill No. 2 and that a Conference Committee be appointed, which motion was declared lost.

Senator Albers moved that the Senate do concur in the House amendment to Senate Bill No. 2, which motion prevailed.

Senator Albers moved that the rules be suspended and that Senate Bill No. 2 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Krenz	Schrock
Bjorlie	Lichty	Schoeder
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, McKenzie	Strand
Bridston	Nelson, Griggs-	Streibel
Brunsdale	Steele	Stucke
Coghlan	Nordhousen	Torno
Day	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Flatt	Page	Welander
Foss	Pyle	Wolf
Fraser	Reinke	Work
Freed	Rue	

Absent and not voting:

Leno Lynch Shure

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 98

Was delivered to the Governor for his approval at the hour of 4:35 o'clock p. m., February 9, 1949.

EMIL TORNO, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "Q"

Was delivered to the Secretary of State at the hour of 4:35 o'clock p. m., February 9, 1949.

EMIL TORNO, Chairman.

Senator O'Brien: I have a letter here that the Lieutenant Governor has written to the Norgart family at Edinburg, which I will read to you.

Senator Brunsdale moved that the letter to the Norgart family be printed in the Journal, which motion prevailed.

State of North Dakota
OFFICE OF THE LIEUTENANT GOVERNOR
Bismarck

February 9, 1949

Mr. & Mrs. Elmer Norgart
Edinburg, No. Dakota

Dear Mr. & Mrs. Norgart:

The sorrow and grief that has been visited upon you people have come to the attention of the members of the North Dakota Senate now in session.

Although no man can ever explain the acts of God and his visitations upon the life of his people here on earth, one must live in the faith of the Redeemer and pray that his light of knowledge will some day be revealed. As human beings we are unable to add to or take away from God's creation.

In this hour of sorrow we stand by helpless as aids to your grief but wish to extend our sincere condolences and enclose a small token which, in a material way, we hope may be of some assistance.

Sincerely yours,

C. P. DAHL,
Lieutenant Governor

Senator Morgan moved that the amendments to Senate Bill No. 52 be not typed and placed on the Senators' desks, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

- Senate Bill No. 60
- Senate Bill No. 116
- House Bill No. 98

House Bill No. 142

House Bill No. 155

And the President signed the same in the presence of the Senate.

Senator Bjorlie moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

THIRTY-EIGHTH DAY

Bismarck, February 10, 1949

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain Father Aydt, of Bismarck.

Roll Call: All Senators present except Senators Mehlhaff, Rue and Shure.

A quorum was declared present by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-seventh day and recommends that the same be corrected as follows:

Page 363, line 55, correct the spelling of the word "re-number."

Page 369, line 10, correct the spelling of the word "indefinitely."

Page 370, line 15, correct the spelling of the word "referred."

Page 377, line 37, correct the spelling of the word "state."

Page 378, line 15, correct the spelling of the word "exceedingly," and in line 28, correct the spelling of the word "deemed."

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

The Senate was on the 8th order of business.

The Sergeant-at-arms reported that Milo Calkins, accompanied by his attorney, Alvin C. Strutz, were present for the purpose of having Mr. Calkins submit to arrest.

Senator Brunsdale moved that Mr. Strutz and his client be granted the courtesy of the hall, which motion prevailed.

Mr. Strutz: Mr. President, Mr. Milo Calkins of Bismarck is here to submit to arrest under the order of this body.

The President announced that this was agreeable to the Senate, and released Mr. Calkins on his own recognizance to appear before the Senate tomorrow at three o'clock.

Mr. Strutz: We would like to request a copy of the charges against Mr. Calkins and then request that we have until Monday at three o'clock instead of tomorrow at three, in which to appear.

Senator Day: I would like to inquire that if it would be agreeable to you to have the hearing on Saturday afternoon instead of Monday.

Mr. Strutz: It would be better than tomorrow but it is impossible for me to be here.

Senator Brunsdale moved that the hearing be held on either Monday or Tuesday, which ever is agreeable to Mr. Strutz and his client, which motion prevailed.

Mr. President: If there are no objections we will extend the time to Tuesday at three o'clock, in the afternoon. A copy of the charges will be furnished to you just as soon as it is completed. You will have a copy by tomorrow morning.

Senator Day moved that a committee be appointed to confer with the attorney for the defendant as to the proper procedure in this matter, which motion prevailed.

The President appointed as such committee the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 2

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 24

Senate Bill No. 183

Senate Bill No. 189

Senate Bill No. 204

Senate Bill No. 209

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 38, have had the same under consideration and recommend that the same be indefinitely postponed.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 74, have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure \$6,405,577.00 and insert the figure \$7,011,467.00 in lieu thereof.

In line 14 strike out the figure \$4,000,000.00 and insert the figure \$4,500,000.00 in lieu thereof.

In line 15 strike out the figure \$1,800,000.00 and insert the figure \$1,900,000.00 in lieu thereof.

In line 26 strike out the figure \$25,000.00 and insert the figure \$27,500.00 in lieu thereof.

In line 35 strike out the figure \$1,770.00 and insert the figure \$3,000.00 in lieu thereof.

In line 36 strike out the figure \$7,840.00 and insert the figure \$10,000.00 in lieu thereof.

In line 38 strike out the figure \$6,405,577.00 and insert the figure \$7,011,467.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred Senate Bill No. 127, have had the same under consideration and recommend that the same be amended as follows:

Strike out Lines 9 to 16 inclusive, and insert, in lieu thereof, the following:

- "2. To advise the State Health Department in the establishment of uniform minimum standards for the operation and maintenance of rural hospitals, community clinics, health stations and first aid stations, and to establish uniform minimum standards for the training of internes, nurses and other health workers in cooperation with the necessary accrediting agencies."

On Line 25, strike out the words "provide for" and insert, in lieu thereof, the words "promote and encourage";

On Line 29, after the word "clinics" insert a semicolon and the words "insofar as may be practical in";

On Line 38, strike out everything after the word "Hospital";

On Line 39, strike out the words "by the state fire marshal";

On Line 41, strike out the words "on duty" and insert, in lieu thereof, the word "available";

On Line 49, strike out the word "fireproof" and insert, in lieu thereof, the word "suitable";

On Line 50, strike out the word "duty" and insert, in lieu thereof, the word "call"; at the end of Line 50, insert a comma and add the words "and a licensed physician available,";

On Line 52, strike out everything after the word "city"; strike out all of Lines 53, 54 and 55;

On Line 61, strike out the word "fireproof" and insert, in lieu thereof, the word "suitable";

Strike out all of Section 6 after the title, and insert, in lieu thereof, the following:

"Any student nurse, interne or other health worker enrolled for training in any accredited institution as above defined may be given credit for such time in training as may be arranged with the necessary accrediting agencies."

Renumber the lines.

And when so amended recommend the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 178, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the word "A BILL" and insert, in lieu thereof, the following:

"For an Act to amend and reenact section 11-0704 of the North Dakota Revised Code of 1943 relating to the redistricting of counties.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 11-0704 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

11-0704. HOW COUNTY REDISTRICTED: COUNTY REDISTRICTED ONLY ONCE IN FIVE YEARS.) In redistricting a county, the redistricting board shall make the districts as regular and compact in form as practicable, and as nearly equal in population as possible. The equality of population in the districts shall be determined by the vote cast at the last preceding general election. No new district shall be so formed that any two of the then acting commissioners shall reside in the same district, nor shall any county be so redistricted that any municipality therein shall form any part of a majority of the commissioner districts in such county.

And when so amended recommend the same do pass.

G. I. FETON, Vice Chairman.

Senator Feton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 180, have had the same under consideration and recommend that the same be amended as follows:

On Line 7, strike out the words "two hundred" and insert, in lieu thereof, the words "one hundred fifty";

On Line 8, after the comma following the word "highway" add the following language: "unless special permission is granted by the highway department in writing."

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that Senate Bill No. 180 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 186, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 188, have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 211, have had the same under consideration and recommend that the same be amended as follows:

On Line 35, strike out everything after the period following the first word "trial";

Strike out all of Lines 36 to 40, inclusive.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 212, have had the same under consideration and recommend that the same be amended as follows:

In the title, after the word "Reenact" insert the words "Subsection 8 of";

On Line 1, after the word "That" insert the words "Subsection 8 of";

Strike out all of Lines 4 to 43, inclusive;

On Line 44, strike out the figure "9" and insert, in lieu thereof, the figure "8";

On Line 48, strike out everything up to and including the comma; capitalize the word "this";

On Line 49, after the word "pending" insert a period and strike out the rest of the line and all of Line 50.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 223, have had the same under consideration and recommend that the same be amended as follows:

In line 3 after the word "moneys" insert the following: "in the retail sales tax fund" and renumber the lines.

In line 4 strike out the figure \$250,000.00 and insert the figure \$100,000.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred Senate Bill No. 226, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 233, have had the same under consideration and recommend that the same be amended as follows:

On Line 25, strike out the words "and/or" and insert, in lieu thereof, a comma;

On Line 37, after the parenthesis, strike out the rest of the line;

Strike out all of Lines 38 to 43, inclusive;

Strike out Line 44 up to and including the comma, and capitalize the word "this";

Renumber the lines.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 235, have had the same under consideration and recommend that the same be placed upon the calendar without recommendation.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 236, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "K", have had the same under consideration and recommend that the same be amended as follows:

After the last line, add the following:

Amendments may also be proposed by initiative petition signed by at least twenty thousand electors at large and filed with the secretary of state at least thirty days prior to any session of the legislative assembly, which shall consider such proposed amendment. If such amendment is approved as originally proposed or as amended, it shall be submitted to the electors at the next general election for approval or rejection. If the proposed amendment is amended or rejected by the legislative assembly, the secretary of state, upon written demand of 'the committee of the petitioners' filed within thirty days after the adjournment of the legislative assembly, shall submit the original proposed amendment to the electors at the next general election for approval or rejection. Any amendment approved by a majority of electors voting thereon, or the amendment receiving the highest number of affirmative votes where an original proposed amendment and an amendment approved by the legislative assembly are in conflict and both are approved by the electors, shall become a part of the Constitution. Insofar as applicable, all provisions of this Constitution relating to the submission of measures by initiative petition shall apply to the submission of amendments to the Constitution.

Number the added lines.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 60, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 72, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 75, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 124, have had the same under consideration and recommend that the same be amended as follows:

In line twenty strike out the word "Fifty" and the figures \$50.00 and insert in lieu thereof the word "Ten" and the figures \$10.00.

And when so amended recommend the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: A majority of your Committee on Social Welfare to whom was referred House Bill No. 161, have had the same under consideration and recommend that the same be indefinitely postponed.

JOSEPH A. REINKE
HARRY O'BRIEN
JOS SPIEKERMEIER
E. H. BRANT
AMOS FREED
FRANK ALBERS
Wm. H. TUFF

MELVIN OLSON, Chairman.

Mr. President: A minority of your Committee on Social Welfare to whom was referred House Bill No. 161, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON
REINHART KRENZ
WALTER TROXEL
C. W. SCHROCK
O. E. BILDEN

MELVIN OLSON, Chairman.

Senator Reinke moved that the report of the majority be adopted.

Senator Olson of Barnes moved that the report of the minority be substituted for that of the majority, which motion was declared lost.

The question being on the motion of Senator Reinke that the majority report on House Bill No. 161 be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 232, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 289, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

The Senate was on the eighth order of business.

Senator Day: Mr. President, the newspapers give headlines sometimes to spectacular matters that disappear in the minds of most people in a few moments. Occasionally we think, because of the great deal of attention given to the trouble families have, and that individuals have, that our society is in fact breaking down. Today the "Club of the Common Man" takes a great deal of pleasure in assisting in getting some recognition, in no respect the recognition to which it is entitled, to a very substantial thing—twenty-nine years ago today, I don't know the hour, one of the genial and beloved Senators of this section was married. "The Club of the Common Man" is happy to announce that 29 years ago began a very happy family life, and that one year ago the second generation in that family originated another marriage and this is the first anniversary of the marriage of their son, and they are in the renegade section today with the first offspring in the third generation. Gentlemen, Mr. President, "The Club of the Common Man" in the renegade section, takes a great deal of pleasure at this time in presenting a bouquet to Senator and Mrs. Pyle and to Mr. and Mrs. Pyle and their child.

Senator Pyle: I am not much at making speeches at any time. In fact I made a short one about 29 years ago and since that time another member of the family has been doing most of the talking. I feel I must say a few words. I certainly do appreciate what you are doing.

CONSIDERATION OF AMENDMENTS

Senator Morgan moved that further action on the amendments to Senate Bill No. 52, as they are printed in the Journal, be laid over one legislative day, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 56 be adopted, which motion prevailed.

Senator Brunsdale moved that the amendments to Senate Bill No. 80 be adopted, which motion prevailed.

Senator Braun moved that the amendments to Senate Bill No. 119 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 120 be adopted, which motion prevailed.

Senator Work moved that the amendments to Senate Bill No. 141 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 213 be adopted, which motion prevailed.

Senator Day moved that the amendments to Senate Concurrent Resolution "F" be adopted, which motion prevailed.

Senator Day moved that the amendments to Senate Concurrent Resolution "G" be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 10, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 128
Senate Bill No. 148
Senate Bill No. 181
Senate Bill No. 197

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 10, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 100
House Bill No. 116
House Concurrent Resolution "U"

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 10, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 13

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 10, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 20

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 10, 1949

Mr. Speaker: I have the honor to return:

Senate Bill No. 60
Senate Bill No. 116

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 10, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 98

House Bill No. 142

House Bill No. 155

Which the President has signed.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 10, 1949

Mr. President: I have the honor to transmit:

House Bill No. 54

House Bill No. 165

House Bill No. 195

House Bill No. 265

House Bill No. 266

House Bill No. 269

House Bill No. 277

House Bill No. 291

House Bill No. 292

House Bill No. 319

House Bill No. 324

House Concurrent Resolution "L"

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 10, 1949

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 10, 1949

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 74.

W. J. TROUT, Secretary.

FIRST READING OF SENATE BILLS

The Committee on Delayed Bills introduced:

Senate Bill No. 237. A Bill for an Act to Amend and Re-enact Section 39-0606 of the 1947 Supplement to the North Dakota Revised Code of 1943 Requiring Applicant for Motor Vehicle Operator's License to Take Physical, Mental and Driving Tests; Fee for Physical Examination.

Was read the first time and referred to the Committee on Judiciary.

The Committee on Delayed Bill at the request of the State Water Conservation Commission introduced:

Senate Bill No. 238. A Bill for an Act Creating the Missouri-Souris Conservancy and Reclamation District in Order to Facilitate the Establishment and Construction of the Missouri-Souris Unit of the Missouri Basin Project as Approved by Act of Congress of December 22, 1944, and Acts Amendatory Thereof and Supplementary Thereto, and Defining its Purposes, Functions, Powers, and Duties.

Was read the first time and referred to the Committee on State and Federal Government.

SECOND READING OF SENATE BILLS

Senate Bill No. 217

Was read the second time.

Senator Brant moved that Senate Bill No. 217 be amended as follows: In line 16, subsection 4, at the end of the line after the word "moved"; strike the period and insert this language: "and the description of the land upon which the building is located," which motion prevailed.

Senator Brant moved that the rules be suspended and that Senate Bill No. 217 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Freed	Pyle
Bilden	Kamrath	Reinke
Bjorlie	Krenz	Schrock
Blume	Leno	Schoeder
Brant	Lichty	Solberg
Braun	Lynch	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Torno
Day	Steele	Troxel
Duffy	Nordhogen	Tuff
Feton	O'Brien	Wahlund
Flatt	Olson, Mountrail	Welander
Foss	Olson, Barnes	Wolf
Fraser	Page	Work

Absent and not voting:

Mehlhoff	Sandness	Stucke
Rue	Shure	

So the bill passed and the title was agreed to.

Senator Brunsdale moved that Senate Bill No. 24 be placed at the foot of Monday's calendar, which motion prevailed.

Senate Bill No. 69

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Freed	Pyle
Bilden	Kamrath	Reinke
Bjorlie	Krenz	Schrock
Blume	Leno	Schoeder
Brant	Lichty	Solberg
Braun	Lynch	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel

Coghlan	Nelson, Griggs-	Torno
Day	Steele	Troxel
Duffy	Nordhougen	Tuff
Feton	O'Brien	Wahlund
Flatt	Olson, Mountrail	Welander
Foss	Olson, Barnes	Wolf
Fraser	Page	Work

Absent and not voting:

Mehlhoff	Sandness	Stucke
Rue	Shure	

So the bill passed and the title was agreed to.

Senate Bill No. 129

Was read the second time.

Senator O'Brien moved that Senate Bill No. 129 be indefinitely postponed, which motion was declared lost.

Senator Day moved that Senate Bill No. 129 be laid over until Monday, which motion prevailed.

Senate Bill No. 163

Was read the second time.

Senator Schrock moved that Senate Bill No. 163 be amended as follows: In line 10 after the word "device", insert the following language: "as approved by the State Highway Department," which motion prevailed.

Senator Schrock moved that the rules be suspended and that Senate Bill No. 163 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Kamrath	Pyle
Bilden	Krenz	Reinke
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Torno
Day	Steele	Troxel
Duffy	Nordhougen	Tuff
Feton	O'Brien	Wahlund
Flatt	Olson, Mountrail	Welander
Foss	Olson, Barnes	Wolf
Fraser	Page	Work
Freed		

Absent and not voting:

Rue	Shure	Stucke
Sandness		

So the bill passed and the title was agreed to.

Senator Strand moved that after the reading of Senate Bills No. 166, 167, 189, 196, 198, 204, 209, 234, Senate Concurrent Resolution "M", House Bills No. 31, 114, the Senate recess for fifteen-minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

Senate Bill No. 166.

Was read the second time.

Senator Streibel moved that Senate Bill No. 166 be referred to the Committee on Labor Relations, which motion prevailed.

Senate Bill No. 167

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 7; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Krenz	Pyle
Bjorlie	Lichty	Reinke
Blume	Lynch	Schrock
Braun	Mehlhoff	Schoeder
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Troxel
Day	Steele	Tuff
Duffy	Nordhougen	Wahlund
Feton	O'Brien	Welanders
Fraser	Olson, Barnes	Wolf
Freed	Page	Work
Kamrath		

Those voting in the negative were:

Albers	Olson, Mountrail	Spiekermeier
Flatt	Solberg	Torno
Leno		

Absent and not voting:

Brant	Rue	Shure
Foss	Sandness	Stucke

So the bill passed and the title was agreed to.

Senate Bill No. 189

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 5; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Krenz	Pyle
Blume	Leno	Reinke
Braun	Lichty	Schoeder
Bridston	Lynch	Solberg
Brunsdale	Mehlhoff	Spiekermeier
Coghlan	Morgan	Strand
Day	Nelson, McKenzie	Streibel
Duffy	Nelson, Griggs-	Troxel
Feton	Steele	Tuff
Flatt	Nordhougen	Wahlund
Foss	O'Brien	Welanders

Fraser	Olson, Barnes	Wolf
Freed	Page	Work
Kamrath		

Those voting in the negative were:

Albers	Olson, Mountrail	Torno
Bjorlie	Schrock	

Absent and not voting:

Brant	Sandness	Stucke
Rue	Shure	

So the bill passed and the title was agreed to.

Senate Bill No. 196

Was read the second time.

Senator Brunsdale moved that Senate Bill No. 196 be amended as follows: In line 27, add two parenthesis marks and in line 30, add two parenthesis marks, which motion prevailed.

Senator Brunsdale moved that the rules be suspended and that Senate Bill No. 196 be deemed properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Albers	Kamrath	Pyle
Bilden	Krenz	Reinke
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Braun	Lynch	Solberg
Bridston	Mehlhoff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nelson, Griggs-	Troxel
Duffy	Steele	Tuff
Feton	Nordhogen	Wahlund
Flatt	O'Brien	Welander
Foss	Olson, Mountrail	Wolf
Fraser	Olson, Barnes	Work
Freed	Page	

Absent and not voting:

Brant	Sandness	Stucke
Rue	Shure	Torno

So the bill passed and the title was agreed to.

Senate Bill No. 198

Was read the second time.

Senator Brunsdale moved that Senate Bill No. 198 be amended as follows: In line 5 add two parenthesis marks; in line 8 add two parenthesis marks; and in line 15, add two parenthesis marks, which motion prevailed.

Senator Brunsdale moved that the rules be suspended and that Senate Bill No. 198 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Albers	Krenz	Pyle
Bilden	Leno	Reinke
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Braun	Mehlhoff	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Strand
Day	Nelson, Griggs-	Streibel
Duffy	Steele	Troxel
Feton	Nordhougen	Tuff
Flatt	O'Brien	Wahlund
Foss	Olson, Mountrail	Welander
Fraser	Olson, Barnes	Wolf
Freed	Page	Work
Kamrath		

Absent and not voting:

Brant	Sandness	Stucke
Bridston	Shure	Torno
Rue		

So the bill passed and the title was agreed to.

Senate Bill No. 204

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Kamrath	Pyle
Bilden	Krenz	Reinke
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Braun	Lynch	Solberg
Bridston	Mehlhoff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	Nordhougen	Tuff
Flatt	O'Brien	Wahlund
Foss	Olson, Mountrail	Welander
Fraser	Olson, Barnes	Wolf
Freed	Page	Work

Absent and not voting:

Brant	Sandness	Stucke
Rue	Shure	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 209

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Freed	Pyle
Bilden	Kamrath	Reinke
Bjorlie	Krenz	Schrock
Blume	Leno	Schoeder
Brant	Lichty	Solberg
Braun	Lynch	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Torno
Day	Steele	Troxel
Duffy	Nordhougen	Tuff
Feton	O'Brien	Wahlund
Flatt	Olson, Mountrail	Welander
Foss	Olson, Barnes	Wolf
Fraser	Page	Work

Those voting in the negative were:

Mehlhaff

Absent and not voting:

Rue	Shure	Stucke
Sandness		

So the bill passed and the title was agreed to.

Senator Day moved that Senate Bill No. 234 be laid over one legislative day, which motion prevailed.

Senate Concurrent Resolution "M"

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Kamrath	Pyle
Bilden	Krenz	Reinke
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Solberg
Braun	Mehlhaff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Torno
Day	Steele	Troxel
Duffy	Nordhougen	Tuff
Feton	O'Brien	Wahlund
Flatt	Olson, Mountrail	Welander
Foss	Olson, Barnes	Wolf
Fraser	Page	Work
Freed		

Absent and not voting:

Rue	Shure	Stucke
Sandness		

So the resolution passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 54. 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.

Was read for the first time and referred to the Committee on Appropriations.

House Bill No. 165. A Bill for an Act to Prescribe the Time and Manner of Giving Notice of Annual and Special Meetings to Members of Mutual Insurance Companies Organized Under the Provisions of Chapter 26-08 of the North Dakota Revised Code of 1943; Prescribing What the By-laws of Such Companies May Provide as to What Shall Constitute a Quorum; Providing for Representation at Such Meetings by Proxy; Prescribing What Vote Shall Be Necessary to Approve or Reject Proposals at Such Meetings and for the Amendment of Articles and By-laws; Providing for a Repeal of All Acts or Parts of Acts in Conflict With This Act, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Industry and Business.

House Bill No. 195. A Bill for an Act to Amend and Reenact Section 12-5108 of the North Dakota Revised Code of 1943 Providing for the Cost of Transportation and the Care of Persons Committed to State Farm and the Payment of Such Expense and the Handling of Federal Prisoners.

Was read for the first time and referred to the Committee on State and Federal Government.

House Bill No. 265. A Bill for an Act to Amend and Reenact Section 39-0309 of the North Dakota Revised Code of 1943, Relating to Powers of Commissioner and Highway Patrol.

Was read for the first time and referred to the Committee on Transportation.

House Bill No. 266. A Bill for an Act to Amend Section 15-2505 as Amended and Section 15-2905 of the North Dakota Revised Code of 1943, Relating to Compensation of Board Members in Common and Special School Districts.

Was read for the first time and referred to the Committee on Education.

House Bill No. 269. A Bill for an Act Providing for the Cancellation of Checks Issued by the State Department of Health, Which Are More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

Was read for the first time and referred to the Committee on Social Welfare.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Sub-section One (1) of Section 50-0204 of the North Dakota Revised Code of 1943 Pertaining to Residence in Counties; How Gained; and Declaring an Emergency.

Was read for the first time and referred to the Committee on Social Welfare.

House Bill No. 291. A Bill for an Act Relating to Adoption; Providing That Where a Decree of Adoption Has Been Rendered in a District Court in This State and the Child Named in Such Decree Has Been Under the Care and in the Custody of the Person or Persons Named in Such Decree as Adoptive Parent or Parents for at Least Two Years Immediately Following the Rendition of Such Decree and for at Least One Year After This Act Became Effective; and That Said Adoptive Parent or Parents During Said Period of Time Have Supported, Cared for, and Maintained a Home for Such Child, and That the Natural Parent or Parents of Said Child Have Not, Nor Has Any Other Person, Supported or Contributed to the Support or Care of Such Child or Asserted Any Right to the Care, Custody, and Control of Such Child, It Shall Be Conclusively Presumed That Such Natural Parent or Parents and All Other Persons Claiming to Have Any Right of Custody of, or Control Over, Such Child Have Abandoned Such Child and Have Consented to the Adoption of Such Child by the Adoptive Parents Named in Said Decree of Adoption; and Said Child Shall Be Deemed To Be the Duly and Legally Adopted Child of the Person or Persons Named in Such Decree as Adoptive Parent or Parents and the Relation of Parent and Child Shall Be Deemed to Have Come Into Existence as of the Date When the Said Decree of Adoption Was Rendered Without Regard to Whether Such Decree Was Valid or Invalid; and Declaring an Emergency.

Was read for the first time and referred to the Committee on Judiciary.

House Bill No. 292. A Bill for an Act to Authorize the Juvenile Court to Terminate Parental Rights in Certain Cases; Providing the Procedure Therefor; Providing for the Supervision, Custody, and Consent to Adoption of Children in Such Cases; Providing for the Appointment of Guardians Ad Litem; and Declaring an Emergency.

Was read for the first time and referred to the Committee on Judiciary.

House Bill No. 319. A Bill for an Act to Amend and Re-enact Subdivision 4 of Section 43-1515, Relating to the Qualifications for Registered Pharmacists.

Was read for the first time and referred to the Committee on General Affairs.

House Bill No. 324. A Bill for an Act to Amend and Reenact Section 39-0803 of the North Dakota Revised Code of 1943 Relating to Reckless Driving, Defining Aggravated Reckless Driving, and Prescribing Penalties.

Was read for the first time and referred to the Committee on Judiciary.

House Concurrent Resolution "L". A Concurrent Resolution Memorializing the Congress of the United States to Investigate the Procedure and Policy of the U. S. Army Engineers in Acquiring and Leasing Lands for the Garrison Dam Reservoir.

Was read for the first time and referred to the Committee on State and Federal Government.

SECOND READING OF HOUSE BILLS

House Bill No. 31

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Kamrath	Pyle
Bilden	Krenz	Reinke
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Spiekermeier
Bridston	Mehlhoff	Strand
Brunsdale	Morgan	Streibel
Coghlan	Nelson, McKenzie	Torno
Day	Nelson, Griggs- Steele	Troxel
Duffy		Tuff
Feton	Nordhougen	Wahlund
Flatt	O'Brien	Welander
Foss	Olson, Mountrail	Wolf
Fraser	Olson, Barnes	Work
Freed	Page	

Those voting in the negative were:

Bjorlie Solberg

Absent and not voting:

Rue Shure Stucke
Sandness

So the bill passed and the title was agreed to.

House Bill No. 114

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 8; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Foss	Olson, Barnes
Bilden	Fraser	Page
Bjorlie	Freed	Reinke
Blume	Kamrath	Schoeder
Brant	Krenz	Solberg
Braun	Lichty	Spiekermeier
Bridston	Lynch	Streibel
Brunsdale	Morgan	Troxel
Coghlan	Nelson, McKenzie	Tuff
Day	Nordhougen	Wahlund
Duffy	O'Brien	Welander
Feton	Olson, Mountrail	Wolf

Those voting in the negative were:

Flatt	Pyle	Torno
Mehlhoff	Schrock	Work
Nelson, Griggs- Steele	Strand	

Absent and not voting:

Leno Sandness Stucke
Rue Shure

So the bill passed and the title was agreed to.

MOTIONS

Senator Day moved that the action by which Senate Bill No. 163 was passed be reconsidered, which motion prevailed.

Senator Day moved that Senate Bill No. 163 be placed on the calendar for Friday, which motion prevailed.

COMMUNICATIONS

Senator Bridston presented a communication from the Chamber of Commerce at Grand Forks, pertaining to licensing, weight and width of trucks.

Senator Bridston moved that the communication be printed in the Journal, which motion prevailed.

WESTERN UNION

Grand Forks, N. Dak.
February 10, 1949

Hon. J. B. Bridston

It was moved, seconded and unanimously carried at a joint meeting of the executive committees of the traffic department of the Chamber of Commerce and the Board of Directors of the Grand Forks Chamber of Commerce that in connection with House Bill 298 wherein the North Dakota motor carriers are attempting to obtain increased maximum weights, lengths, and widths for application in connection with North Dakota highway traffic, we recommend to the legislative committee that they use the complete facilities of the engineering department of the state highway department and in general accept recommendations of the highway department with regard to the merit of this bill. The people of Grand Forks are concerned with the increased widths, lengths and load limits of motor vehicles and we consider increased widths and lengths a hazard from the stand point of safety.

Grand Forks Chamber of Commerce.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2

And the President signed the same in the presence of the Senate.

Senator Brunsdale moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

THIRTY-NINTH DAY

Bismarck, February 11, 1949

The Senate convened at 2:00 p.m., the President presiding.
Prayer by the Chaplain Father Aydt of Bismarck.

Roll Call: All Senators present except Senators Sandness,
Shure and Stucke.

A quorum was declared present by the President.

Mr. President: Your Committee on Revision and Correction
of the Journal has carefully examined the Journal of the
Thirty-eighth day and recommends that the same be corrected
as follows:

Page 395, line 8, correct the spelling of the word "Con-
current."

Page 393, line 37, strike out the name "Larry" and insert
in lieu thereof the name "Harry."

And when so corrected recommends that the same be
approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which
motion prevailed and the report was adopted.

MESSAGE FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

February 10, 1949

Members of the Senate
Thirty-First Legislative Assembly
Senate Chambers
Bismarck, North Dakota
Gentlemen:

Today I have approved Senate Bill Number 98.

This bill has been filed with the Secretary of State.

Sincerely yours,

FRED G. AANDAHL
Governor

MESSAGE FROM THE BANK OF NORTH DAKOTA

Bismarck, North Dakota
February 10, 1949

W. J. Trout
Secretary
North Dakota Senate
Bismarck, North Dakota

Dear Mr. Trout:

I wish to acknowledge receipt of copy of Senate Concurrent Resolution "D."

The resolution will be brought to the attention of the Industrial Commission for further action.

Very truly yours,
H. C. BOWERS
Manager

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 56
Senate Bill No. 80
Senate Bill No. 119
Senate Bill No. 120
Senate Bill No. 141
Senate Bill No. 196
Senate Bill No. 198
Senate Bill No. 213
Senate Bill No. 217
Senate Concurrent Resolution "F"
Senate Concurrent Resolution "G"

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 60
Senate Bill No. 116

Were delivered to the Governor for his approval at the hour of 3.30 o'clock p. m., February 11, 1949.

EMIL TORNO, Chairman.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 46, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 81, have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure \$598,300.00 and insert the figure \$648,700.00 in lieu thereof.

In line 13 strike out the figure \$80,000.00 and insert the figure \$95,000.00 in lieu thereof.

In line 14 strike out the figure \$19,600.00 and insert the figure \$20,000.00 in lieu thereof.

In line 18 strike out the figure \$80,000.00 and insert the figure \$95,000.00 in lieu thereof.

In line 25 strike out the figure \$25,000.00 and insert the figure \$45,000.00 in lieu thereof.

In line 34 strike out the figure \$598,300.00 and insert the figure \$648,700.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 118, have had the same under consideration and recommend that the same be amended as follows:

Page 5, Line 98, after the word "receive" strike the letter "a" and insert the word "such". In the same line, after the word "salary" strike the word "of" and insert the following: "as is appropriated by the Legislative Assembly," and strike out all of lines 99 and 100.

Page 14, line 312, strike the word "thirty-" and in line 313, strike "five percent" and insert in lieu thereof "fifty percent".

Page 15, in lines 324 and 325 strike out "sixty-six and two-thirds percent" and insert in lieu thereof "seventy per cent".

On page 19, following line 412, after the word "fund" add the following sentence: "This paragraph shall apply only to the claims filed from and after the taking effect of this Act." Following line 426, after the word "dollars" add the following sentence: "This paragraph shall apply only to the claims filed from and after the taking effect of this Act."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 191, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, Line 5, strike out the word "residences" and insert, in lieu thereof, the word "residents";

Strike out all of Lines 31 to 37, inclusive, and, in lieu thereof, insert the following:

"The provisions of this Act, except as to payment of license fee, shall not apply to any person, partnership or corporation, or his or its successor in interest, who or which, on February 1, 1949 was the holder of a wholesale liquor license within the State of North Dakota."

Add a new section reading as follows:

"SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure, and shall be in full force and effect immediately upon its passage and approval."

And when so amended recommend the same be placed upon the calendar without recommendation.

G. I. FETON, Vice Chairman.

Senator Feton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 207, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 44, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 45, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 162, 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 "county" insert the words "or community"

In lines 1, 16, 19, 28, 46, 47, 61 and 64 between the word "county" and the word "hospital" insert the words "or community"

In Line 49, beginning with the words "the secretary" strike out the balance of the section and insert in lieu thereof the following language: "Proper vouchers may be presented by the hospital association to the Board of County Commissioners and with the approval of the board the county auditor shall draw warrants on the separate fund in payment of such vouchers."

In line 62, strike out the period and add the following: "Unless all tax money received by the hospital association has been repaid to the county without interest."

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 235, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Concurrent Resolution "F",

have had the same under consideration and recommend that the same be amended as follows:

In the original bill in the title strike out the word "real".

In line 15, strike out the word "real".

And when so amended recommend the same be placed on the calendar without recommendation.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 11, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 69
Senate Bill No. 167
Senate Bill No. 183
Senate Bill No. 189
Senate Bill No. 196
Senate Bill No. 198
Senate Bill No. 204
Senate Bill No. 209
Senate Bill No. 217
Senate Concurrent Resolution "M"

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 11, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 31
House Bill No. 114

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 11, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 161

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 11, 1949

Mr. President: I have the honor to return:

Senate Bill No. 60
Senate Bill No. 116

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 11, 1949

Mr. President: I have the honor to transmit:

House Bill No. 16
House Bill No. 74

House Bill No. 100
 House Bill No. 116
 House Bill No. 129
 House Concurrent Resolution "R"
 House Concurrent Resolution "U"

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, February 11, 1949

Mr. President: I have the honor to transmit:

House Bill No. 63
 House Bill No. 177
 House Bill No. 204
 House Bill No. 206
 House Bill No. 262
 House Bill No. 290
 House Bill No. 334
 House Bill No. 338

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, February 11, 1949

Mr. President: I have the honor to transmit:

House Bill No. 341

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

CONSIDERATION OF AMENDMENTS

Senator Morgan moved that the amendments to Senate Bill No. 52 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 74 be adopted, which motion prevailed.

Senator Olson of Barnes moved that the amendments to Senate Bill No. 127 be adopted, which motion prevailed.

Senator Fetton moved that the amendments to Senate Bill No. 178 be adopted, which motion prevailed.

Senator Day moved that the amendments to Senate Bill No. 211 be adopted, which motion prevailed.

Senator Day moved that the amendments to Senate Bill No. 212 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 223 be adopted, which motion prevailed.

Senator Day moved that the amendments to Senate Bill No. 233 be adopted, which motion prevailed.

Senator Olson of Mountrail moved that further consideration of the amendments to Senate Concurrent Resolution "K" be laid over one legislative day, which motion prevailed.

Senator Olson of Barnes moved that the amendments to House Bill No. 124 be adopted, which motion prevailed.

MOTIONS

Senator Nordhougen moved that a committee of three be appointed to meet with a like committee of the House to make

preparations for a joint session to be held as the committee sees fit around the 22nd of February, which motion prevailed.

The President appointed as such committee, Senators Nordhougen, Mehlhaff and Bjorlie.

SECOND READING OF SENATE BILLS

Senate Bill No. 234

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Kamrath	Reinke
Bilden	Krenz	Rue
Bjorlie	Leno	Schoeder
Blume	Lichty	Schrock
Brant	Lynch	Solberg
Braun	Mehlhaff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Torno
Day	Steele	Troxel
Duffy	Nordhougen	Tuff
Feton	O'Brien	Wahlund
Flatt	Olson, Mountrail	Welander
Foss	Olson, Barnes	Wolf
Fraser	Page	Work
Freed	Pyle	

Absent and not voting:

Sandness	Shure	Stucke
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So the bill passed and the title was agreed to, and the emergency clause carried.

Senate Bill No. 56

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Kamrath	Reinke
Bilden	Krenz	Rue
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Solberg
Braun	Mehlhaff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Torno
Day	Steele	Troxel
Duffy	Nordhougen	Tuff
Feton	O'Brien	Wahlund
Flatt	Olson, Mountrail	Welander

Foss	Olson, Barnes	Wolf
Fraser	Page	Work
Freed	Pyle	

Absent and not voting:
 Sandness Shure Stucke
 So the bill passed and the title was agreed to.
 Senate Bill No. 80
 Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Krenz	Reinke
Bjorlie	Leno	Rue
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Feton	Nordhougen	Troxel
Flatt	O'Brien	Tuff
Foss	Olson, Mountrail	Wahlund
Fraser	Olson, Barnes	Welander
Freed	Page	Wolf
Kamrath	Pyle	Work

Those voting in the negative were:

Albers

Absent and not voting:

Duffy	Shure	Stucke
Sandness		

So the bill passed and the title was agreed to.

Senate Bill No. 119

Was read the second time.

Senator Bridston moved that further consideration of Senate Bill No. 119 be indefinitely postponed, which motion prevailed.

Senator Day moved that Senate Bill No. 120 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 163

Was read the second time.

Senator Day moved that Senate Bill No. 163 be amended as follows: Strike out the word "as" in the amendment and insert in lieu thereof the words, "of a type", which motion prevailed.

Senator Day moved that Senate Bill No. 163 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Freed	Pyle
Bilden	Kamrath	Reinke
Bjorlie	Krenz	Rue
Blume	Leno	Schoeder
Brant	Lichty	Solberg
Braun	Lynch	Spiekermeier
Bridston	Mehlhoff	Strand
Brunsdale	Morgan	Streibel
Coghlan	Nelson, McKenzie	Torno
Day	Nelson, Griggs-	Troxel
Duffy	Steele	Tuff
Feton	O'Brien	Wahlund
Flatt	Olson, Mountrail	Welander
Foss	Olson, Barnes	Wolf
Fraser	Page	Work

Absent and not voting:

Nordhougen	Schrock	Stucke
Sandness	Shure	

So the bill passed and the title was agreed to.

Senator Strand moved that after the reading of Senate Bills No. 120, 186, 213, 226, 235, 236, Senate Concurrent Resolution "F", Senate Concurrent Resolution "G", House Bills No. 60, 72, 75, 232, and 289, the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

Senator Brunsdale moved that the House be requested to return Senate Concurrent Resolution "M", which motion prevailed.

Senate Bill No. 186

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Albers	Freed	Schrock
Bilden	Krenz	Solberg
Blume	Leno	Spiekermeier
Braun	Lichty	Strand
Bridston	Lynch	Streibel
Brunsdale	Morgan	Torno
Coghlan	Nelson, McKenzie	Troxel
Day	Nordhougen	Tuff
Duffy	O'Brien	Wahlund
Feton	Olson, Mountrail	Welander
Flatt	Olson, Barnes	Wolf
Foss	Reinke	Work
Fraser	Rue	

Those voting in the negative were:

Page

Absent and not voting:

Bjorlie	Nelson, Griggs-	Schoeder
Brant	Steele	Shure
Kamrath	Pyle	Stucke
Mehlhoff	Sandness	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 213

Was read the second time. •

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Bilden	Leno	Schrock
Blume	Lichty	Solberg
Braun	Lynch	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Krenz		

Absent and not voting:

Albers	Mehlhoff	Sandness
Bjorlie	Nelson, Griggs-	Schoeder
Brant	Steele	Shure
Day	Pyle	Stucke
Kamrath		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 226

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Blume	Leno	Schoeder
Brant	Lichty	Solberg
Braun	Lynch	Spiekermeier
Bridston	Mehlhoff	Strand
Brunsdale	Morgan	Streibel
Coghlan	Nelson, McKenzie	Torno
Day	Nordhougen	Troxel
Duffy	O'Brien	Tuff
Feton	Olson, Mountrail	Wahlund
Flatt	Olson, Barnes	Welander
Foss	Page	Wolf

Fraser	Reinke	Work
Freed	Rue	

Absent and not voting:

Albers	Nelson, Griggs-	Sandness
Bjorlie	Steele	Shure
Kamrath	Pyle	Stucke

So the bill passed and the title was agreed to.

Senate Bill No. 235

Was read the second time.

Senator Flatt moved that further action on Senate Bill No. 235 be delayed until Monday, which motion prevailed.

Senate Bill No. 236

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Kamrath	Rue
Blume	Krenz	Schrock
Brant	Leno	Schoeder
Braun	Lichty	Solberg
Bridston	Lynch	Spiekermeier
Brunsdale	Mehlhoff	Strand
Coghlan	Morgan	Streibel
Day	Nelson, McKenzie	Torno
Duffy	Nordhougen	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Reinke	Work

Absent and not voting:

Albers	Pyle	Shure
Bjorlie	Sandness	Stucke
Nelson, Griggs-		
Steele		

So the bill passed and the title was agreed to .

Senate Concurrent Resolution "F"

Was read the second time.

ROLL CALL

The question being on the final passage of the Resolution, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Kamrath	Rue
Blume	Krenz	Schrock
Brant	Leno	Schoeder
Braun	Lichty	Solberg
Bridston	Lynch	Spiekermeier
Brunsdale	Mehlhoff	Strand
Coghlan	Morgan	Streibel
Day	Nelson, McKenzie	Torno

Duffy	Nordhougen	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Reinke	Work

Absent and not voting:

Albers	Pyle	Shure
Bjorlie	Sandness	Stucke
Nelson, Griggs- Steele		

So the Resolution passed and the title was agreed to.
Senate Concurrent Resolution "G"
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, 37; nays, 4; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Kamrath	Rue
Blume	Krenz	Schrock
Brant	Leno	Schoeder
Braun	Lichty	Solberg
Brunsdale	Lynch	Spiekermeier
Coghlan	Nelson, McKenzie	Strand
Day	Nordhougen	Streibel
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Reinke	Wolf
Freed		

Those voting in the negative were:

Mehlhoff	Troxel	Work
Morgan		

Absent and not voting:

Albers	Nelson, Griggs- Steele	Sandness
Bjorlie		Shure
Bridston	Pyle	Stucke

So the Resolution passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 63. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Was read for the first time and referred to the Committee on Appropriations.

House Bill No. 177. A Bill for an Act to Amend and Reenact Sections 47-1606 and 47-1615 of the North Dakota Revised Code of 1943, Relating to Renewal and Notice of Termination of Leases of Real Property.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 204. A Bill for an Act Requiring a Bond To Be Furnished by Applicants for a License as a Dealer in Motor Vehicles, Conditioned Upon Compliance With the Law by Such Applicant, and Providing the Manner of Obtaining Certificates of Title by Dealers to Used Motor Vehicles Originating From Another State.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 206. A Bill for an Act to Amend and Reenact Subsection 6 of Section 26-0335 of the North Dakota Revised Code of 1943, Relating to Provisions Required in Life Insurance Policy Issued on Other Than Standard Form, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Industry and Business.

House Bill No. 262. A Bill for an Act Authorizing the State Board of Higher Education to Sell and Convey a Tract of Land, Described as That Portion of the South Half of Section 35, Township 140 North Range 49 West of the 5th P. M., Which Lies South of the Great Northern Railway Right of Way, and to Use the Proceeds of Said Sale for the Purchase of Other Suitable Agricultural Land.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 290. A Bill for an Act to Amend and Reenact Sections 14-1104, 14-1105, 14-1110, and 14-1111 of the North Dakota Revised Code of 1943, and Section 14-1108 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Adoption of Children, and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 334. A Bill for an Act to Amend and Reenact Section 15-3613 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Teachers Examination for Second Grade Elementary Certificates.

Was read for the first time and referred to the Committee on Education.

House Bill No. 338. A Bill for an Act Relating to Attendance of Pupils in Certain Schools and Amending and Re-enacting Subsections 1 and 2 of Section 15-2908 of the North Dakota Revised Code of 1943.

Was read for the first time and referred to the Committee on Education.

House Bill No. 341. A Bill for an Act Making an Appropriation in the Sum of \$10,000.00 to the Department of Agriculture and Labor of the State of North Dakota, to be Expended for Predatory Animal Control; and Declaring an Emergency.

Was read for the first time and referred to the Committee on Appropriations.

SECOND READING OF HOUSE BILLS

House Bill No. 60

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Freed	Schrock
Blume	Kamrath	Schoeder
Brant	Krenz	Solberg
Braun	Lichty	Spiekermeier
Bridston	Lynch	Strand
Brunsdale	Mehlhoff	Streibel
Coghlan	Morgan	Troxel
Day	Nelson, McKenzie	Tuff
Duffy	Nordhougen	Wahlund
Feton	O'Brien	Welander
Flatt	Olson; Barnes	Wolf
Foss	Page	Work
Fraser	Reinke	

Those voting in the negative were:

Leno	Olson, Mountrail	Torno
Absent and not voting:		
Albers	Pyle	Shure
Bjorlie	Rue	Stucke
Nelson, Griggs- Steele	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 72

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Solberg
Brunsdale	Mehlhoff	Spiekermeier
Coghlan	Morgan	Strand
Day	Nelson, McKenzie	Streibel
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work

Absent and not voting:

Albers	Nelson, Griggs- Steele	Shure
Bjorlie		Stucke
Bridston	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 75

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Solberg
Bridston	Mehlhoff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Albers	Nelson, Griggs-	Shure
Bjorlie	Steele	Stucke
	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 232

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Solberg
Bridston	Mehlhoff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Albers	Nelson, Griggs-	Shure
Bjorlie	Steele	Stucke
	Sandness	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 289

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Solberg
Bridston	Mehlhaff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Albers	Nelson, Griggs-	Shure
Bjorlie	Steele	Stucke
	Sandness	

So the bill passed and the title was agreed to.

SECOND READING OF SENATE BILL

Senate Bill No. 120

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 2; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Solberg
Bridston	Mehlhaff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Rue	

Those voting in the negative were:

Braun	Day
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Absent and not voting:

Albers	Nelson, Griggs-	Shure
Bjorlie	Steele	Stucke
	Sandness	

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 11, 1949

Mr. Speaker: I have the honor to inform you that the President has appointed a committee of three to act with a like committee from the House, Senators Nordhougen, Mehlhaff and Bjorlie for making preparation for joint Memorial Session to be held February 22.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 11, 1949

Mr. Speaker: I have the honor to request the return of Senate Concurrent Resolution "M" for further amendment.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 11, 1949

Mr. President: I have the honor to inform you that the House is returning Senate Concurrent Resolution "M" which the Senate requested.

GEORGE OLSON, Chief Clerk.

MOTIONS

Senator Fraser moved that the Senate reconsider the action by which Senate Concurrent Resolution "M" was passed, which motion prevailed.

Senator Reinke moved that Senate Concurrent Resolution "M" be amended as follows: Insert in line thirteen after the comma, the following words: "Fish and Wildlife Service in the Department of the Interior," which motion prevailed.

Senator Fraser moved that the rules be suspended and that Senate Concurrent Resolution "M" be deemed properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senate Concurrent Resolution "M"

Which has been read.

ROLL CALL

The question being on the final passage of the Resolution, as amended, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Albers	Krenz	Reinke
Bilden	Leno	Rue
Blume	Lichty	Schoeder
Braun	Mehlhaff	Spiekermeier
Brunsdale	Morgan	Streibel
Day	Nelson, McKenzie	Torno
Duffy	Nordhougen	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Pyle	Work
Kamrath		

Absent and not voting:

Bjorlie	Nelson, Griggs-	Shure
Brant	Steele	Solberg

Bridston
Coghlan
Lynch

Sandness
Schrock

Strand
Stucke

So the Resolution passed and the title was agreed to.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 16

House Bill No. 74

House Bill No. 100

House Bill No. 116

House Bill No. 129

House Concurrent Resolution "R"

House Concurrent Resolution "U"

And the President signed the same in the presence of the Senate.

Senator Tuff moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FORTIETH DAY

Bismarck, February 12, 1949

The Senate convened at 2:00 P. M., the President presiding.
Prayer by the Chaplain, Father Aydt of Bismarck.

Roll call: All Senators present except Senators Feton, Foss, Freed, Nelson of Steele and Griggs, Olson of Barnes, Sandness, Shure and Stucke.

A quorum was declared present by the President.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-ninth day and find the same correct.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 52
Senate Bill No. 74
Senate Bill No. 127
Senate Bill No. 163
Senate Bill No. 178
Senate Bill No. 211
Senate Bill No. 212
Senate Bill No. 223
Senate Bill No. 233
Senate Concurrent Resolution "M"

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to who was referred Senate Bill No. 55, have had the same under consideration and recommend that the same be amended as follows:

In line 12 strike out the figure \$165,000.00 and insert the figure \$287,120.00 in lieu thereof.

In line 14 strike out the figure \$25,000.00 and insert the figure \$42,100.00 in lieu thereof.

In line 15 strike out the figure \$2,000.00 and insert the figure \$5,900.00 in lieu thereof.

In line 16 strike out the figure \$20,000.00 and insert the figure \$28,500.00 in lieu thereof.

In line 20 strike out the figure \$252,000.00 and insert the figure \$403,620.00 in lieu thereof.

Strike out all of lines 21 thru 38.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 113, have had the same under consideration and recommend that the same be amended as follows:

In Line 17, after the word "than" strike out the figure ".50" and insert, in lieu thereof, the word "one".

And when so amended recommend the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 76, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Morgan moved that the amendments to Senate Bill No. 81 be adopted, which motion prevailed.

Senator Rue moved that the amendments to Senate Bill No. 118 be adopted, which motion prevailed.

Senator Bridston moved that the amendments to Senate Bill No. 191 be adopted, which motion prevailed.

Senator Olson of Mountrail moved that further action on the amendments to Senate Concurrent Resolution "K" be laid over until Monday, which motion prevailed.

Senator Brant moved that the amendments to House Bill No. 162 be adopted, which motion prevailed.

Senator Brunsdale moved that action on the amendments to House Concurrent Resolution "F" be laid over until Monday, which motion prevailed.

MOTIONS

Senator Albers moved that he be granted permission to introduce a bill, which motion prevailed and the unanimous consent of the Senate was granted to Mr. Albers to introduce a bill.

Senator Day moved that the bill be placed on first reading and referred to a committee at this time, which motion prevailed.

FIRST READING OF SENATE BILLS

Introduced by Senator Albers by unanimous consent of the Senate:

Senate Bill No. 239. A Bill for an Act to Amend and Reenact Section 57-2009 of the North Dakota Revised Code of 1943 Relating to Discount for Early Payment of Taxes, and Declaring an Emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 12, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 56
Senate Bill No. 80
Senate Bill No. 120
Senate Bill No. 163
Senate Bill No. 186
Senate Bill No. 213
Senate Bill No. 226
Senate Bill No. 236
Senate Bill No. 234
Senate Concurrent Resolution "F"
Senate Concurrent Resolution "G"
Senate Concurrent Resolution "M"

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 12, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 16
House Bill No. 74
House Bill No. 100
House Bill No. 116
House Bill No. 129
House Concurrent Resolution "R"
House Concurrent Resolution "U"

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 12, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 60
House Bill No. 72
House Bill No. 75
House Bill No. 232
House Bill No. 289

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 12, 1949

Mr. President: I have the honor to inform you that the Speaker has appointed as a committee of three to act with a like committee from the Senate, in preparation for the

Joint Memorial Session to be held February 22, Reprs. Seibel, Haugland, and Anderson of Ransom.

GEORGE OLSON, Chief Clerk.

House Chamber

Bismarck, February 12, 1949

Mr. President: I have the honor to transmit:

House Bill No. 67

House Bill No. 68

House Bill No. 82

House Bill No. 143

House Bill No. 187

House Bill No. 210

House Bill No. 215

House Bill No. 239

House Bill No. 240

House Bill No. 268

House Bill No. 284

House Bill No. 329

House Concurrent Resolution "P"

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

House Chamber

Bismarck, February 12, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 13.

GEORGE OLSON, Chief Clerk.

Mr. President: If there are no objections we will take a few moments off to celebrate the birthday of Abraham Lincoln. We have in the chambers a distinguished gentleman who is noted for his ability to expound and if there are no objections I am going to delegate Senator Tuff to escort the Honorable Carroll E. Day to the rostrum.

Senator Carroll E. Day was escorted to the rostrum by Senator Tuff and invited to address the Senate.

Senator Day: Mr. President, Members of the Senate, I suppose it is fitting that we do pause and think back in order to commemorate the birthday of a man so great that many millions for so many years did see fit to examine his life for inspiration and his writings for wisdom.

I suppose no American has ever inspired our people quite so much with his brevity and directness and his honesty of purpose as a statesman.

In searching for something appropriate to say a difficult task is encountered as far as Abraham Lincoln is concerned, but I think it is appropriate that we hear again at this time some of the terse remarks that have echoed through the years since he died. I am going to read just a few of his statements:

"Learn the laws and obey them."

"Revolutionize through the ballot box."

"No man is good enough to govern another man without that other's consent."

"Our Government rests on public opinion. Whoever can change public opinion can change our government."

"Whatever is calculated to improve the condition of the honest, struggling working man, I am for that thing."

"You can fool some of the people all the time, or all the people some of the time; but you can not fool all of the people all of the time."

"No men living are more worthy to be trusted than those who toil up from poverty—none less inclined to take, or touch, aught which they have not honestly earned."

"The Lord must love the common people—that's why He made so many of them."

"A private soldier has as much right to justice as a major general."

"This country—belongs to the people who inhabit it."

"Let not him who is homeless pull down the house of another, but let him labor diligently to build one for himself."

Four score and five years ago Abraham Lincoln created the Gettysburg address. The Senator from Williams has supplied me with a report of some of the comments made at that time by the daily newspapers. You remember that Lincoln spoke after Everett had given a two hour address and Lincoln spoke for less than two minutes, and you might be interested in some of the newspaper comments at that time.

The Harrisburg newspaper was critical. "Lincoln succeeded on this occasion because he acted without sense and without constraint in the panorama that was gotten up more for the benefit of his party than for the glory of the nation and the honor of the dead. We pass over the silly remarks of the President; for the credit of the nation we are willing that the veil of oblivion shall be dropped over them and that they shall no more be repeated or thought of."

A Chicago newspaper said: "The cheek of every American must tingle with shame as he reads the silly, flat, and dishwatery utterances of the man who has to be pointed out to intelligent foreigners as the President of the United States."

But the Providence Journal said: "We know not where to look for a more admirable speech than the brief one which the President made at the close of Mr. Everett's oration. Could the most elaborate and splendid oration be more beautiful, more touching, more inspiring, than those thrilling words of the President?"

The Evening Bulletin said: "Few people would read the President's words without a moistening of the eye and a swelling of the heart."

Lincoln himself was disappointed and said about his speech: "It is a flat failure and the people are disappointed." Evidently he had read the newspapers.

But the next day Everett sent Lincoln a note stating: "I should be glad if I could flatter myself that I came as near to the central idea of the occasion in two hours as you did in two minutes." Lincoln replied: "In our respective parts yesterday, you could not have been expected to make a short address, nor I a long one. I am pleased to know that, in your judgment, the little I did say was not entirely a failure."

Another utterance of Lincoln's that is worth going over again and again and especially appropriate, I think, for us, is:

"Let every American, every lover of liberty, every well wisher to his posterity swear by the blood of the revolution never to violate in the least particular the laws of the country, and never to tolerate their violation by others. As the patriots of seventy-six did to the support of the Declaration of Independence, so to the support of the Constitution and laws let every American pledge his life, his property and his sacred honor. Let every man remember that to violate the law is to trample on the blood of his father, and to tear the charter of his own and his children's liberty. Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap; let it be taught in the schools, in seminaries, and in colleges; let it be preached from the pulpit, proclaimed in the legislation halls, and enforced in Courts of Justice. In short let it become the political religion of the Nation."

A man who has been in the State's employ for a long time, librarian of the Supreme Court, E. J. Taylor, in an address he gave at a similar occasion said: "We can pay a most fitting honor to Lincoln's memory by doing the tasks allotted to us in the spirit in which he did the infinitely greater and more terrific tasks allotted to him."

Mr. President and fellow Senators, may each of us biennially make a mental pilgrimage to the shrine of that great statesman and rededicate ourselves to our task that justice and wisdom may echo in these halls, and that the youth of our great state may be able to gird itself for the terrific struggle with selfishness that is about to be encountered by our youth in our efforts for peace.

The United Nations is a challenge to every American but if the United Nations is to succeed in the purpose for which it is founded, we will need more Abraham Lincolns.

Senator Bridston moved that the remarks of Senator Day be printed in the journal, which motion prevailed.

The Senate recessed at the call of the President, for five minutes.

The Senate reconvened pursuant to recess taken.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 239, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 341, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brant moved that the rules be suspended and that Senate Bill No. 239 be placed at the head of the calendar, which motion prevailed.

Senator Morgan moved that the rules be suspended and

that House Bill No. 341 be placed at the head of today's calendar, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 239

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 1; absent and not voting, 13.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Lichty	Schrock
Blume	Lynch	Solberg
Brant	Mehlhoff	Spiekermeier
Braun	Morgan	Strand
Brunsdale	Nelson, McKenzie	Torno
Coghlan	Nordhougen	Troxel
Day	O'Brien	Tuff
Duffy	Olson, Mountrail	Welander
Flatt	Page	Wolf
Fraser	Pyle	Work
Kamrath	Reinke	

Those voting in the negative were:

Streibel

Absent and not voting:

Bjorlie	Leno	Schoeder
Bridston	Nelson, Griggs-	Shure
Feton	Steele	Stucke
Foss	Olson, Barnes	Wahlund
Freed	Sandness	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Albers moved that the vote by which Senate Bill No. 239 was passed be reconsidered and the motion to reconsider be laid on the table:

Which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 341

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Solberg
Brant	Mehlhoff	Spiekermeier
Braun	Morgan	Strand
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nordhougen	Torno
Coghlan	O'Brien	Troxel
Day	Olson, Mountrail	Tuff
Duffy	Page	Wahlund

Flatt	Pyle	Welander
Fraser	Reinke	Wolf
Kamrath	Rue	Work
Krenz		
Absent and not voting:		
Albers	Nelson, Griggs-	Sandness
Feton	Steele	Shure
Foss	Olson, Barnes	Stucke
Freed		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Morgan moved that the vote by which House Bill No. 341 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

FIRST READING OF SENATE BILLS

Introduced by Delayed Bills Committee:

Senate Bill No. 240. A Bill for an Act Making an Appropriation for Administrative Expenses of the State Auditor in Connection with the Payment of Adjusted Compensation to North Dakota Veterans of World War II as Provided in Senate Bill Number 2 of the Thirty-first Legislative Assembly of the State of North Dakota; and declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

Introduced by Delayed Bills Committee:

Senate Bill No. 241. A Bill for an Act to Facilitate the Provisions of Section 25 of the Constitution Relating to the Enactment of Measures by the Initiative Process and to Require That the Proposed Petition be Submitted to the Secretary of State Before Circulation so That the Sufficiency Thereof May Be Determined.

Was read the first time and referred to the Committee on State and Federal Government.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 12, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 239

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 12, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 341

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

SECOND READING OF SENATE BILL

Senate Bill No. 46

Was read the second time.

ROLL CALL

The question being on the final passage of the bill,

the roll was called and there were ayes, 36; nays, 3; absent and not voting, 10.

Those voting in the affirmative were:

Albers	Kamrath	Schoeder
Bilden	Krenz	Solberg
Bjorlie	Lichty	Spiekemeier
Blume	Lynch	Strand
Brant	Mehlhoff	Streibel
Braun	Nelson, McKenzie	Torno
Bridston	O'Brien	Troxel
Brunsdale	Olson, Mountrail	Tuff
Coghlan	Pyle	Wahlund
Day	Reinke	Welander
Duffy	Rue	Wolf
Flatt	Schrock	Work

Those voting in the negative were:

Fraser	Leno	Page
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Absent and not voting:

Feton	Nelson, Griggs-	Sandness
Foss	Steele	Shure
Freed	Nordhousen	Stucke
Morgan	Olson, Barnes	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day: At this time, Mr. President, the Judiciary Committee wishes to make its report on the special assignment with reference to the trial of Milo Calkins. The Committee has met and prepared and submits herewith an information and a special set of rules which I would like at this time to have read from the desk and then I will make a motion.

The information and the special rules were read from the desk.

Senator Day moved that the information and special rules be printed in the journal and that the report of the committee be adopted, which motion prevailed.

**STATE SENATE
THIRTY-FIRST LEGISLATIVE ASSEMBLY OF
NORTH DAKOTA**

The Senate of the Thirty-First Legislative Assembly
vs.
Milo Calkins, Defendant.

**INFORMATION
THE SENATE OF THE THIRTY-FIRST LEGISLATIVE
ASSEMBLY SENDS GREETING:
TO MILO CALKINS:**

YOU ARE HEREBY Charged with contempt of the Senate of the Thirty-First Legislative Assembly, in the following respects:

1.

That you did, on or about the 3rd day of February, 1949, enter into the Senate Chambers in the State Capitol at Bismarck, North Dakota, without any invitation from the Senate, and unlawfully solicit members of the Senate to oppose a certain measure pending before the Senate, contrary to Section 12-0918 of the North Dakota Revised Code of 1943.

2.

That you did on said date unlawfully attempt to personally and directly influence one or more members of the Legislative Assembly to vote against a measure pending therein, otherwise than by appearing before a regular committee thereof, contrary to the provisions of Section 12-0917 of the North Dakota Revised Code of 1943.

3.

That at said time and place, you did, in making such solicitation, misrepresent facts affecting such legislation.

And you are hereby required to serve and file your written plea to these charges within one day after service hereof, pursuant to the Special Rules of the Senate adopted for this proceeding.

Dated this 12th day of February, A. D. 1949.

CARROLL E. DAY,
Chairman of Committee on Judiciary.

ADMISSION OF SERVICE

Due and personal service of the within and foregoing Information is hereby admitted at Bismarck, North Dakota, this 12th day of February, A. D. 1949.

Al. C. STRUTZ,
Attorney for Milo Calkins.

SPECIAL RULES FOR THE TRIAL OF MILO CALKINS

1.

The general rules of the Senate shall apply, except where inconsistent herewith.

2.

The President of the Senate shall rule on all questions, subject to appeal to the Senate by the Defendant, or any Senator.

3.

Within one day after being presented with a written statement of the charges, the Defendant or his attorney shall file with the Secretary of the Senate a written plea of "guilty" or "not guilty", together with any explanatory matter he desires to include.

4.

If the plea is "not guilty", the testimony of the witnesses in support of the charges shall be reduced to affidavit form and filed with the Secretary of the Senate and a copy thereof supplied to the attorney for the Defendant at least twelve hours before the time designated for trial, at which time the Defendant shall present himself before the Bar of the Senate to answer such questions as may be put by any Senator. At that time, the attorney for the defense may offer such evidence as he desires.

5.

At the conclusion of the testimony, the Senate shall vote on the question, "Shall the Defendant be found guilty of contempt?". If a majority of the Senate voting votes "No", the Defendant shall be released. If a majority of those voting votes "Aye", the Senate shall then consider and by majority vote decide the sentence, if any, to be imposed.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 12, 1949

Mr. President: I have the honor to return:

Senate Bill No. 239

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 52

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 2; absent and not voting, 11.

Those voting in the affirmative were:

Bjorlie	Krenz	Rue
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Solberg
Bridston	Mehlhoff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Torno
Day	O'Brien	Troxel
Duffy	Olson Mountrail	Wahlund
Flatt	Page	Welander
Fraser	Pyle	Wolf
Kamrath	Reinke	Work

Those voting in the negative were:

Streibel Tuff

Absent and not voting:

Albers	Freed	Olson, Barnes
Bilden	Nelson, Griggs-	Sandness
Feton	Steele	Shure
Foss	Nordhougen	Stucke

So the bill passed and the title was agreed to.

Senate Bill No. 74

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 2; absent and not voting, 12.

Those voting in the affirmative were:

Bilden	Kamrath	Rue
Bjorlie	Krenz	Schoeder
Blume	Leno	Solberg
Brant	Lichty	Spiekermeier
Braun	Lynch	Strand
Bridston	Mehlhoff	Streibel
Brunsdale	Morgan	Troxel
Coghlan	Nelson, McKenzie	Wahlund
Day	O'Brien	Welander
Duffy	Olson Mountrail	Wolf
Flatt	Pyle	Work
Fraser	Reinke	

Those voting in the negative were:

Torno Tuff

Absent and not voting:

Albers	Nelson, Griggs-	Sandness
Feton	Steele	Schrock
Foss	Nordhougen	Shure
Freed	Olson, Barnes	Stucke
	Page	

So the bill passed and the title was agreed to.

Senate Bill No. 127

Was read the second time.

Senator Blume moved that Senate Bill No. 127 be indefinitely postponed, which motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 3; absent and not voting, 9.

Those voting in the affirmative were:

Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Brant	Lynch	Spiekermeier
Braun	Mehlhaff	Strand
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nordhougen	Torno
Coghlan	O'Brien	Troxel
Day	Olson Mountrail	Tuff
Duffy	Page	Wahlund
Flatt	Pyle	Welander
Fraser	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Those voting in the negative were:

Blume Morgan Solberg

Absent and not voting:

Albers	Nelson, Griggs-	Sandness
Feton	Steele	Shure
Foss	Olson, Barnes	Stucke
Freed		

So the bill passed and the title was agreed to.

Senate Bill No. 178

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 4; absent and not voting, 10.

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Solberg
Brant	Lynch	Spiekermeier
Bridston	Mehlhaff	Strand
Brunsdale	Morgan	Streibel
Coghlan	Nelson, McKenzie	Torno
Day	Nordhougen	Troxel

Duffy	O'Brien	Tuff
Flatt	Olson Mountrail	Wahlund
Fraser	Page	Wolf
Kamrath	Reinke	

Those voting in the negative were:

Braun	Rue	Work
Pyle		

Absent and not voting:

Albers	Nelson, Griggs-	Shure
Feton	Steele	Stucke
Foss	Olson, Barnes	Welander
Freed	Sandness	

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 67. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read for the first time and referred to the Committee on Appropriations.

House Bill No. 68. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses for the State Training School at Mandan, North Dakota.

Was read for the first time and referred to the Committee on Appropriations.

House Bill No. 82. 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 for the first time and referred to the Committee on Appropriations.

House Bill No. 187. A Bill for an Act Making Records and Business Transactions of Irrigation Districts Public Records; Defining the Duties of Officers of Irrigation Districts; and Making the Violation Thereof Grounds for Removal.

Was read for the first time and referred to the Committee on Agriculture.

House Bill No. 210. A Bill for an Act Making an Appropriation for a Pension for National Guardsman Nennor A. Nelson, Jr., and Declaring an Emergency.

Was read for the first time and referred to the Committee on Appropriations.

House Bill No. 215. A Bill for an Act Creating and Establishing a North Dakota Highway Patrolmen's Retirement System; Creating and Establishing a Fund to Be Known as the North Dakota Highway Patrolmen's Retirement Fund; Providing for Payments Upon Retirement, Death, Disability, Voluntary and Involuntary Retirement From the North Dakota Highway Patrolmen's Retirement Fund; Providing for the Creation of a Board of Trustees and Defining Its Powers and Duties; Providing for Contributions by Members of the North Dakota Highway Patrol; Providing for the Guaranty and Appropriation by the State

of North Dakota of Certain of Said Funds; Providing for the Subrogation of the State of North Dakota to the Rights of the Member or Dependent Against Certain Third Parties; Exempting Annuities, Allowances, Returns, Benefits and Rights From Taxation and Judicial Process; and Providing for Penalties.

Was read for the first time and referred to the Committee on State and Federal Government.

House Bill No. 239. A Bill for an Act Authorizing Any Corporation or Association Organized Under Previously Existing Statutes, to Adopt and Be Bound by the Provisions of Chapter 10-12 of the North Dakota Revised Code of 1943, Relating to Mutual Aid Corporations.

Was read for the first time and referred to the Committee on Agriculture.

House Bill No. 240. A Bill for an Act to Amend and Reenact Section 10-1508 of the North Dakota Revised Code of 1943, Relating to the Adoption and Amendment of By-laws, and Setting Forth Quorum of Stockholder Requirements.

Was read for the first time and referred to the Committee on Judiciary.

House Bill No. 268. A Bill for an Act to Amend and Reenact Section 39-0303 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Patrolmen: Appointment; Removal; Duties.

Was read for the first time and referred to the Committee on State and Federal Government.

House Bill No. 284. A Bill for an Act to Provide for the Consolidation of School Districts When the Assessed Valuation of Any District Is Diminished by the Acquisition of Property Under Eminent Domain; the Consolidation of the Remaining Portion With Adjoining Districts; Requiring Notice Before Action Is Taken; Making the Action of the County Commissioners Final; and Repeal Act or Parts of Act in Conflict Therewith, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Education.

House Bill No. 329. A Bill for an Act to Amend and Reenact Section 19-0508 of the North Dakota Revised Code of 1943, Relating to Tax on Oleomargarine.

Was read for the first time and referred to the Committee on Finance and Taxation.

House Concurrent Resolution "P". A Concurrent Resolution Providing for the Amending of Section 162 of the Constitution of the State of North Dakota, as Amended.

Was read for the first time and referred to the Committee on State and Federal Government.

Senator Brunsdale moved that the Senate do now recess until 1:00 P. M., February 14, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FORTIETH DAY AFTER RECESS AND
FORTY-SECOND DAY

Bismarck, February 14, 1949

The Senate convened at 1:00 P. M., pursuant to recess taken, the President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 207

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 18; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Kamrath	Spiekermeier
Bjorlie	Leno	Strand
Blume	Lichty	Streibel
Bridston	Lynch	Stucke
Day	Nordhougen	Troxel
Duffy	O'Brien	Tuff
Feton	Page	Wahlund
Flatt	Schrock	Welander
Fraser	Solberg	Wolf

Those voting in the negative were:

Brant	Morgan	Rue
Braun	Nelson, McKenzie	Sandness
Brunsdale	Olson Mountrail	Schoeder
Foss	Olson, Barnes	Shure
Freed	Pyle	Torno
Krenz	Reinke	Work

Absent and not voting:

Albers	Mehlhaff	Nelson, Griggs-
Coghlan		Steele

So the bill passed and the title was agreed to.

Senate Bill No. 211

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nordhougen	Streibel
Day	O'Brien	Stucke
Duffy	Olson Mountrail	Torno
Feton	Olson, Barnes	Troxel
Flatt	Page	Tuff
Foss	Reinke	Wahlund
Fraser	Rue	Welander
Freed	Sandness	Wolf
Kamrath		

Those voting in the negative were:

Pyle Work

Absent and not voting:

Albers	Mehlhoff	Nelson, Griggs-
Coghlan		Steele

So the bill passed and the title was agreed to.

Senate Bill No. 212

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nordhougen	Streibel
Coghlan	O'Brien	Stucke
Day	Olson Mountrail	Torno
Duffy	Olson, Barnes	Troxel
Feton	Page	Tuff
Flatt	Pyle	Wahlund
Foss	Reinke	Welander
Fraser	Rue	Wolf
Freed	Sandness	Work
Kamrath		

Absent and not voting:

Albers	Mehlhoff	Nelson, Griggs-
		Steele

So the bill passed and the title was agreed to.

Senate Bill No. 223

Was read the second time.

ROLL CALL

The question being on the final passage of the bill,

as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nordhougen	Streibel
Day	O'Brien	Stucke
Duffy	Olson Mountrail	Torno
Feton	Olson, Barnes	Troxel
Flatt	Page	Tuff
Foss	Pyle	Wahlund
Fraser	Reinke	Welander
Freed	Rue	Wolf
Kamrath	Sandness	Work

Absent and not voting:

Albers	Mehlhoff	Nelson, Griggs-
Bridston		Steele

So the bill passed and the title was agreed to.

Senate Bill No. 233

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 4; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Solberg
Brant	Lynch	Spiekermeier
Braun	Nelson, McKenzie	Strand
Bridston	Nordhougen	Streibel
Brunsdale	O'Brien	Torno
Day	Olson, Barnes	Troxel
Feton	Page	Tuff
Flatt	Pyle	Wahlund
Foss	Reinke	Welander
Fraser	Rue	Wolf
Freed	Sandness	Work
Kamrath		

Those voting in the negative were:

Morgan	Shure	Stucke
Olson Mountrail		

Absent and not voting:

Albers	Duffy	Nelson, Griggs-
Coghlan	Mehlhoff	Steele

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that House Bills No. 44 and 45 be referred to the Committee on Judiciary, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 124

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	O'Brien	Strand
Day	Olson Mountrail	Stucke
Duffy	Olson, Barnes	Torno
Feton	Page	Troxel
Foss	Pyle	Wahlund
Fraser	Reinke	Welanders
Freed	Rue	Wolf
Kamrath	Sandness	

Those voting in the negative were:

Braun	Mehlhoff	Streibel
Coghlan	Morgan	Tuff
Flatt	Nordhougen	Work

Absent and not voting:

Albers	Nelson, Griggs-Steele
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So the bill passed and the title was agreed to.

House Bill No. 235

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Kamrath	Rue
Bjorlie	Krenz	Sandness
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Solberg
Bridston	Mehlhoff	Spiekermeier
Brunsdale	Morgan	Streibel
Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welanders
Fraser	Pyle	Wolf
Freed	Reinke	Work

Those voting in the negative were:

Shure

Absent and not voting:

Albers Nelson, Griggs- Strand
Steele

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 14, 1949

Mr. President: I have the honor to transmit:

House Bill No. 80

House Bill No. 81

House Bill No. 190

House Bill No. 194

House Bill No. 236

House Bill No. 238

House Bill No. 275

House Bill No. 337

House Concurrent Resolution "Q"

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

Senator Bjorlie moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-SECOND DAY

Bismarck, February 14, 1949

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. A. E. Smith, of Bismarck.

Roll Call: All Senators present except Senators Albers and Nelson of Steele and Griggs.

A quorum was declared present by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fortieth day and recommends that the same be corrected as follows:

Page 429, line 47, correct the spelling of the word "evidently."

Page 429, line 51, correct the spelling of the word "our."

Page 438, line 34, correct the spelling of the word "with."

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 14, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 46

Senate Bill No. 52
 Senate Bill No. 74
 Senate Bill No. 127
 Senate Bill No. 178

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 81
 Senate Bill No. 118
 Senate Bill No. 191

And find the same correctly Engrossed.

—EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 203, have had the same under consideration and recommend that the same be amended as follows:

In line 16, add two parenthesis.

In line 17, add two parenthesis.

And when so amended recommend the same do pass.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 231, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1, have had the same under consideration and recommend that the same do pass.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 43, have had the same under consideration and recommend that the same be amended as follows:

On Line 33, after the period, add the following:

“Provided, however, that there shall be no increase in fees except with the approval of a majority of the directors and officers of the North Dakota Certified Seed Potato Growers Association and the North Dakota members of the board of directors and officers of the Red River Valley Potato Growers Association present at a meeting called by the State Seed Commissioner, preferably at Grand Forks.”

And when so amended recommend the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 90, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 165, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 169, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 178, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: 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.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "N", have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Brunsdale moved that the amendments to Senate Bill No. 55 be adopted, which motion prevailed.

Senator Troxel moved that the amendments to Senate Bill No. 113 be adopted, which motion prevailed.

Senator Day moved that the amendments to Senate Concurrent Resolution "K" be adopted.

Senator Stucke moved that the amendments to Senate Concurrent Resolution "K" be laid on the table, which motion prevailed.

Senator Brant moved that the amendments to House Concurrent Resolution "F" be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 14, 1949

Mr. President: I have the honor to inform you that the House requests the Senate to return Senate Bill No. 239 for reconsideration of house action.

GEORGE OLSON, Chief Clerk.

Senator Brunsdale moved that the request of the House to return Senate Bill No. 239 be granted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 14, 1949

Mr. Speaker: I have the honor to return Senate Bill No. 239 which the House has requested.

W. J. TROUT, Secretary.

Senator Brunsdale moved that the House be requested to return Senate Bill No. 239, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 14, 1949

Mr. Speaker: I have the honor to inform you that the Senate requests the return of Senate Bill No. 239.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 14, 1949

Mr. President: I have the honor to return Senate Bill No. 239 which the Senate has requested.

GEORGE OLSON, Chief Clerk.

MOTIONS

Senator Day moved that the plea and pleadings filed by the attorney for Milo Calkins be printed in the Journal, which motion prevailed.

SENATE OF THE STATE OF NORTH DAKOTA
IN THE MATTER OF THE CONTEMPT PROCEEDINGS
AGAINST MILO CALKINS

OBJECTIONS OF THE RESPONDENT, MILO CALKINS,
TO THE JURISDICTION OF THE SENATE OF THE
STATE OF NORTH DAKOTA, TO HEAR, TRY AND
DETERMINE THE ABOVE ENTITLED MATTER.

Mr. President, and the Honorable Senate of the State of North Dakota:

Comes now, Milo Calkins, a citizen of the United States and a resident of the State of North Dakota, being the respondent in the above entitled proceedings, and respectfully objects to the jurisdiction of the Senate of the State of North Dakota, sitting as High Court to try the contempt charges against this respondent, and objects to the jurisdiction of the Senate of the State of North Dakota to hear, try or determine the same;

1. On the ground that the Senate, at the time it voted to order the arrest of the respondent, was not sitting as a judicial tribunal, but was sitting as a legislative body; that as such legislative body, it had no right or power to order the arrest of this respondent; that such power can be exercised only after the Senate had resolved itself into a judicial tribunal.

The Journal of the Senate for Wednesday, February 9, 1949 shows, at page 376, immediately after the vote on Senate Bill No. 183 was announced:

"Senator Streibel moved that the President of the Senate prepare a Warrant of Arrest for Milo Calkins, the man I mentioned in my speech here for the purpose of hailing him before the Senate body for trial at three o'clock P. M., on February 11th."

No motion to be on another Order of Business was made, and as such legislative body, the Senate had no legal power or authority to order the arrest of this respondent for contempt.

2. The rules of the Senate of the Thirty-first legislative assembly of the State of North Dakota did contain rule No. 56 which provides that the secretary shall tabulate the vote which shall be announced by the President. That at the time the votes were taken on the motion of Senator Streibel, that the President of the Senate prepare a Warrant of Arrest for Milo Calkins, your accused, the President of the Senate wholly failed to announce the result of the vote taken on said motion, and under the rules of this Senate, such motion has no force or effect for the reason that the vote was not announced by the President.

WHEREFORE, the said Milo Calkins, your respondent, respectfully moves that the Senate, in due course, dismiss and set aside the said arrest, and that the said Milo Calkins be discharged from custody.

Dated at Bismarck, North Dakota this 14th day of February, 1949.

MILO CALKINS,
Accused and Respondent

SENATE OF THE STATE OF NORTH DAKOTA
IN THE MATTER OF THE CONTEMPT PROCEEDINGS
AGAINST MILO CALKINS

OBJECTIONS OF THE RESPONDENT, MILO CALKINS,
TO THE JURISDICTION OF THE SENATE OF THE
STATE OF NORTH DAKOTA TO HEAR, TRY AND
DETERMINE THE ABOVE ENTITLED MATTER.

Mr. President, and the Honorable Senate of the State of North Dakota:

Comes now Milo Calkins, a citizen of the United States and a resident of the State of North Dakota, being the accused in the above entitled contempt proceedings, and respectfully objects to the jurisdiction of the Senate of the State of North Dakota, sitting as High Court to try the contempt which is against the said Milo Calkins, respondent in said proceedings, objects to the jurisdiction of the Senate of the State of North Dakota to hear, try or determine the same, on the grounds, and for the reasons following, to-wit:

1. That the Warrant of Arrest, served on the respondent, states that on the 6th day of February, 1949, the Hon. R. M. Streibel, a duly qualified and sitting member of the Senate of the Legislative Assembly of the State of North Dakota, laid before the said Senate in regular Session assembled, information and charges affecting the said Milo Calkins, and

2. The said Warrant of Arrest further states that by Resolution duly adopted by the said Senate, the President thereof was directed to prepare a Warrant of Arrest for the said Milo Calkins, and for his production before the said Senate for trial at 3 o'clock p.m. on the 11th day of February, 1949, and that the said Warrant of Arrest fails to state the grounds for such arrest of this respondent, and fails to set forth any of the grounds provided for in Section 54-0317 of the 1943 Revised Code of the State of North Dakota, and wholly fails to set forth any grounds for the arrest of your respondent.

3. That the said Warrant of Arrest being defective and failing to advise your respondent of the charges preferred against him, such arrest is a nullity.

WHEREFORE, the said Milo Calkins, your respondent, respectfully moves that the Senate, in due course, dismiss and set aside the said arrest, and that the said Milo Calkins be discharged from custody.

Dated at Bismarck, North Dakota this 14th day of February, 1949,

MILO CALKINS,
Accused and Respondent

SENATE OF THE STATE OF NORTH DAKOTA
IN THE MATTER OF THE CONTEMPT PROCEEDINGS
AGAINST MILO CALKINS

MOTION FOR CHANGE OF VENUE

Mr. President, and the Honorable Senate of the State of North Dakota:

Comes now Milo Calkins, a citizen of the United States and a resident of the State of North Dakota, being the accused in the above entitled contempt proceedings, and respectfully objects to the jurisdiction of the Senate of the State of North Dakota, sitting as a High Court, to try the contempt charges against the respondent, and respectfully moves for a change of place of trial of the above proceedings on the grounds and for the reasons, as follows:

1. That your respondent, Milo Calkins, said accused, has good and sufficient reason to believe, and does believe, that he cannot have a fair and impartial trial of this proceeding before the Senate of the State of North Dakota, sitting as High Court to try the contempt charges against this respondent, by reason of the interest, prejudice and bias of the said Senate of the State of North Dakota.

2. The Honorable, the Senate of the State of North Dakota, is disqualified to hear or determine the above entitled cause, for the reason that its members are interested in the result of said proceedings, and that the membership of the Honorable Senate of the State of North Dakota is disqualified

to hear and determine the above proceeding on the ground and for the reason that certain members of the Senate, feeling that their dignity is at stake, cannot give to your respondent a fair and impartial trial in said proceeding.

WHEREFORE, your respondent respectfully prays for an Order of this Senate, sitting as High Court to try the contempt charges against your respondent, referring this proceeding to some other tribunal where the prejudice, bias and interest in said cause, and against this respondent, does not exist.

Dated this 14th day of February, 1949 at Bismarck, North Dakota.

MILO CALKINS,
Accused and Respondent

SENATE OF THE STATE OF NORTH DAKOTA
IN THE MATTER OF THE CONTEMPT PROCEEDINGS
AGAINST MILO CALKINS

PLEA

Comes now Milo Calkins, the respondent in the above proceedings, and, without his submitting to the jurisdiction of this senate, and for the purposes of entering his plea as required by the Special Rules for the trial of Milo Calkins, submitted to the accused in the above entitled proceedings, hereby enters his plea of "Not Guilty", and requests that the information and the charges against your respondent be dismissed.

Dated at Bismarck, North Dakota this 14th day of February, 1949.

MILO CALKINS,
Accused and Respondent

EXPLANATORY NOTE:

That your respondent denies the charges that have been made against him, and respectfully states and he did not know that he was violating any of the Rules of this Honorable body by being on the floor, behind the rail; that sometime prior to the time of the occurrence of the incident out of which said charges grew, this respondent requested a copy of the Rules of the Senate and was advised that the same were not available to him; that your respondent has talked to the Sgt.-at-Arms and to the numerous doorkeepers of the Senate, and while he was so in the corridor of the Senate, along the outer wall thereof, and was at no time advised that he was not permitted in such corridors or that he was violating any Rule of this Honorable body in so being in said corridor;

That this respondent has done no act which has not been committed by many other persons visiting the State Capitol during legislative sessions, but that if he has, in any way, offended against the dignity, the honor and the sacred prerogatives of this august body, he does hereby most humbly apologize, and assure the members that such act on his part were committed in the exercise of his sacred privileges and rights as a citizen of these United States, and under the provisions of Section 10 of the Constitution of the State of North Dakota, which gives to citizens, the right to apply to those invested with powers of government for the redress

of grievánces, and for other proper purposes, by petition, address or remonstrances.

Senator Day moved that the special rules for the trial of Milo Calkins, printed in the Journal on page 434 be adopted as applicable whenever the Senate proceeds with the trial of Milo Calkins under the 14th order of business, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 81

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Kamrath	Rue
Bjorlie	Krenz	Sandness
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Shure
Bridston	Mehlhaff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nerdhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson Mountrail	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work

Those voting in the negative were:

Solberg

Absent and not voting:

Albers	Nelson, Griggs- Steele	Tuff
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So the bill passed and the title was agreed to.

Senator Flatt moved that Senate Bill No. 118 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 129

Was read the second time.

Senator Stucke moved that further action on Senate Bill No. 129 be laid on the table.

ROLL CALL

The question being on the motion of Senator Stucke that further action on Senate Bill No. 129 be laid on the table, the roll was called and there were ayes, 25; nays, 21; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Lichty	Strand
Bjorlie	Lynch	Streibel
Blume	Nelson, McKenzie	Stucke
Brant	Nerdhougen	Torno
Feton	O'Brien	Troxel

Foss	Olson Mountrail	Wahlund
Fraser	Schoeder	Welander
Kamrath	Solberg	Wolf
Leno		

Those voting in the negative were:

Braun	Freed	Reinke
Bridston	Krenz	Rue
Brunsdale	Mehlhaff	Sandness
Coghlan	Morgan	Schrock
Day	Olson, Barnes	Shure
Duffy	Page	Spiekermeier
Flatt	Pyle	Work

Absent and not voting:

Albers	Nelson, Griggs- Steele	Tuff
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So the motion was declared carried.

Senator Nordhougen: I want to explain my vote and I want this printed in the Journal. When this bill was before this House last week I voted in support of Senator Braun from Richland, but I disliked very much the statement that he made in this Senate not so very long ago in which he said that he was going to have the vote of the various members compiled so that the sportsmen at home can look at the record. As far as that goes I have a clean record and have supported the game laws as well as some Senators here, but I think it is completely out of line for him to go this far and use this high-powered pressure in recording the votes.

Senator Strand moved that after the reading of Senate Bills No. 118, No. 191, No. 235, House Bill No. 76, No. 162, and Senate Bill No. 24, the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

Senator Shure moved that Senate Bill No. 191 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 235

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 20; nays, 25; absent and not voting, 4.

Those voting in the affirmative were:

Braun	Freed	Rue
Bridston	Krenz	Sandness
Brunsdale	Mehlhaff	Shure
Coghlan	Morgan	Torno
Day	Page	Troxel
Duffy	Pyle	Work
Foss	Reinke	

Those voting in the negative were:

Bilden	Lichty	Schoeder
Bjorlie	Lynch	Solberg
Blume	Nelson, McKenzie	Spiekermeier
Brant	Nordhougen	Strand
Feton	O'Brien	Streibel

Flatt	Olson Mountrail	Wahlund
Fraser	Olson, Barnes	Welander
Kamrath	Schrock	Wolf
Leno		

Absent and not voting:

Albers	Stucke	Tuff
Nelson, Griggs- Steele		

So the bill was declared lost.

Senator Flatt changed his vote from aye to nay for purpose of reconsideration.

Senator Braun rose to a point of personal privilege and requested that the following telegram be printed in the Journal.

The President ruled that the telegram be printed in the Journal.

WESTERN UNION

Albany, N. Y.
February 14, 1949

Dr. Harry A. Wheeler:

Bow and arrow hunting discussed during 1948 session B American Humane Association convention but no resolution adopted. Archery hunting of deer recognized to be more humane than gun hunting. American Humane Assn. does not actively oppose legislation authorizing bow and arrow hunting of deer.

American Humane Association.

Senate Bill No. 24

Was read the second time.

Senator Bridston moved that Senate Bill No. 24 be indefinitely postponed, which motion prevailed.

Senator Freed: Mr. President: I have not changed my opinion since our committee hearing on this bill. There was a lot of discussion over this bill at the hearing, some for and others against. However, we recommended same for passage. Unless some provision is made whereby the cities and towns of our state can get more revenue to operate, every senator, whether he live in town or in the country, should vote for this measure. Our city of Dickinson recently had a big fire. It put eight business places out of business with a total loss, which means that the city of Dickinson is going to lose around five thousand dollars in taxes. Our City Commission scraped the bottom of the barrel before, and this fire did not help the situation.

Senate Bill No. 118

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder

Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nordhougen	Streibel
Day	O'Brien	Stucke
Duffy	Olson Mountrail	Torno
Feton	Olson, Barnes	Troxel
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Absent and not voting:

Albers	Nelson, Griggs- Steele	Tuff
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 191

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nordhougen	Streibel
Coghlan	O'Brien	Stucke
Day	Olson Mountrail	Torno
Duffy	Olson, Barnes	Troxel
Feton	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath	Sandness	

Those voting in the negative were:

Flatt	Morgan
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Absent and not voting:

Albers	Nelson, Griggs- Steele	Tuff
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Senator Shure moved that the title to Senate Bill No. 191 be amended as follows: At the end of the title, after the word "years" strike the period and insert the following, "excepting license holders as of date February 1, 1949, and declaring an emergency.", which motion prevailed.

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MOTIONS

Senator Brunsdale moved that the vote by which Senate Bill No. 239 was passed be reconsidered, which motion prevailed.

Senator Streibel moved that Senate Bill No. 239 be referred to the Committee on Finance and Taxation, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 80. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

Was read for the first time and referred to the Committee on Appropriations.

House Bill No. 81. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Bank of North Dakota.

Was read for the first time and referred to the Committee on Appropriations.

House Bill No. 190. A Bill for an Act Providing for the Cleaning and Repairing of Drains by Boards of County Commissioners; Providing for the Levy of Special Assessments; Repealing Section 61-2142 of the North Dakota Revised Code of 1943 as Amended, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Agriculture.

House Bill No. 194. A Bill for an Act Providing for the Distribution of Funds Received From the Federal Government in Counties Where the Federal Government Has Acquired Land for the Development of Projects for Public Uses.

Was read for the first time and referred to the Committee on State and Federal Government.

House Bill No. 236. A Bill for an Act Fixing the Time of the Day for the Commencement of the Deer Hunting Season, and Prescribing a Penalty for the Violation Thereof.

Was read for the first time and referred to the Committee on Natural Resources.

House Bill No. 238. A Bill for an Act Defining Strays and Estrays; Authorizing the Inspection of Cattle at All Livestock Markets; North Dakota Livestock Sanitary Board to Prescribe Rules for Inspection; Authorizing the North Dakota Stockmen's Association to Appoint Brand Inspectors and to Make Inspections of All Shipments and Consignments of Cattle at All Livestock Markets; Providing for the Sale of Estrays and Determination of the Ownership, and for the Disposition of the Moneys Received Therefor; Providing for Examination and Inspection of Accounts and Records by the State Examiner; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Was read for the first time and referred to the Committee on Agriculture.

House Bill No. 275. A Bill for an Act to Amend and Re-enact Section 50-0108 of the North Dakota Revised Code of 1943 Pertaining to Members of County Welfare Board; Term of Office; Oath; Compensation.

Was read for the first time and referred to the Committee on Social Welfare.

House Bill No. 337. A Bill for an Act Authorizing the Board of Administration to Sell and Convey to Northwest

Inner Mission Society, a Religious and Charitable Corporation, not to Exceed Five Acres at Ten Dollars Per Acre, a Part of Lot 3 of Section 19, Township 162, North of Range 72 West, in Rolette County, North Dakota, to be Used as an Indian Children's Playground in Connection with Such Institution.

Was read for the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution "Q". A Concurrent Resolution Recommending that the Industrial Commission Adopt Rules and Regulations for the Loaning of Money by the Bank of North Dakota to Soil Conservation Districts.

Was read for the first time and referred to the Committee on State and Federal Government.

SECOND READING OF HOUSE BILLS

House Bill No. 162

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Strand
Day	Nordhogen	Streibel
Duffy	O'Brien	Stucke
Feton	Olson, Mountrail	Torno
Flatt	Olson, Barnes	Troxel
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Albers	Nelson, Griggs-	Tuff
Bridston	Steele	

So the bill passed and the title was agreed to.

House Bill No. 76

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4,

Those voting in the affirmative were:

Bilden	Kamrath	Sandness
Bjorlie	Krenz	Schoeder
Blume	Leno	Shure
Brant	Lichty	Solberg
Braun	Lynch	Spiekermeier
Bridston	Mehlhoff	Strand
Brunsdale	Morgan	Streibel

Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Fetón	Olson, Mountrail	Wahlund
Flatt	Olson, Barnes	Welander
Foss	Pyle	Wolf
Fraser	Reinke	Work
Freed	Rue	

Those voting in the negative were:

Page

Absent and not voting:

Albers	Schrock	Tuff
Nelson, Griggs- Steele		

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the Senate do now recess until 1:30 p.m., February 15, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-SECOND DAY AFTER RECESS
AND FORTY-THIRD DAY

Bismarck, February 15, 1949

The Senate convened at 1:30 P. M., pursuant to recess taken.
The Senate was on the fifth order of business.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 239, have had the same under consideration and recommend that the same be amended as follows:

In line 16 following the word "period" strike out the balance of the section and insert in lieu of the part stricken out, the following: "to March 15th, 1949".

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the rules be suspended and that the committee report and the amendments be adopted, which motion prevailed.

Senator Brunsdale moved that the rules be suspended and that Senate Bill No. 239 be considered properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 239

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Shure
Braun	Morgan	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Duffy	Nordhougen	Stucke
Feton	O'Brien	Torno

Flatt	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welanders
Kamrath	Reinke	Wolf
Krenz	Rue	Work

Absent and not voting:

Albers Day

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brunsdale moved that the vote by which Senate Bill No. 239 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Mehlhaff requested permission to introduce a Concurrent Resolution, which permission was granted.

FIRST READING OF SENATE RESOLUTION

Senator Mehlhaff, by unanimous consent, introduced:

Senate Concurrent Resolution "R." A Concurrent Resolution Urging the Use of North Dakota Material in the Construction of the Garrison Dam and Other Projects.

Was read the first time and referred to the Committee on General Affairs.

Senator Bjorlie moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-THIRD DAY

Bismarck, February 15, 1949

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain Rev. A. E. Smith of Bismarck.

Roll Call: All Senators present.

A quorum was declared present by the President.

MESSAGE FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

February 14, 1949

Members of the Senate
Thirty-First Legislative Assembly
Senate Chambers
Bismarck, North Dakota

Gentlemen:

Today I have approved Senate Bills Numbers 60 and 116. These bills have been filed with the Secretary of State.

Sincerely yours,
FRED G. AANDAHL
Governor

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 15, 1949

Mr. President: I have the honor to return:

Senate Bill No. 71

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 15, 1949

Mr. President: I have the honor to transmit:

House Bill No. 6

House Bill No. 66

House Bill No. 183

House Bill No. 214

House Bill No. 217

House Bill No. 237

House Bill No. 242

House Bill No. 247

House Bill No. 248

House Bill No. 249

House Bill No. 250

House Bill No. 261

House Concurrent Resolution "T"

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 15, 1949

Mr. President: I have the honor to transmit:

House Bill No. 341

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fortieth Day after recess and forty-second day and recommends that the same be corrected as follows:

Page 447, line 17, strike out the word "an" and insert the word "on".

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 55

Senate Bill No. 113

Senate Bill No. 191

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 105, have had the same under consideration and recommend that the same be amended as follows:

On Line 24, strike out the word "two" and insert, in lieu thereof, the word "five".

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 150, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 164, have had the same under consideration and recommend that the same be indefinitely postponed.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 165, have had the same under consideration and recommend that the same be amended as follows:

In line 15, after the word "year" strike out the comma and insert a period. Strike out the balance of line 15 and all of lines 16 to 23 inclusive, and strike out the word "years" in line 24.

In line 24, after the word "board" insert the following language: "as constituted previous to the passage of this act"

In line 25, after the word "their" insert the following language: "terms have expired and their"

In line 26, after the word "qualified" insert the following language: "The appointment of the two additional members prior to August, 1949 shall be one for a term of 5 years and one for a term of 6 years".

In line 35, strike out the word "two" and insert the word "one". Strike out the letter "s" in the word "members" and after the word "be" insert the word "a".

In line 36, strike out the last "s" in the word persons".

In line 51, strike out the word "one" and insert the word "two". Add the letter "s" to the word "members".

In line 52, strike out the word "a" in beginning of line and add the letter "s" to the word "veterinarian". In line 52, change the word "is" to "are". Strike out the word "a" and add the letter "s" to the word "graduate".

In line 55, strike out the word "of" after the word "appointment" and insert the word "by".

In line 57, after the period, strike out the balance of the line and all of lines 58 and 59.

In line 68, after the word "beef" insert the word "cattle".

In line 73, after the word "sheep" insert the following: "and by the State Veterinary Medical Association for the two Veterinarian members".

And when so amended recommend the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Labor Relations to whom was referred Senate Bill No. 166, have had the same under consideration and recommend that the same be indefinitely postponed.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Olson of Mountrail rose to a point of personal privilege which privilege was granted.

Senator Olson of Mountrail: Mr. President, I hope that the discussion in the Labor Relations Committee on Senate Bill No. 166 will have served as a notice to the plumbers that they had better get their house in order. If not, then I'm serving notice to them here and now that a similar bill will be introduced two years from now.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 180, have had the same under consideration and recommend that the same be amended as follows:

On Line 7, strike out the words "two hundred" and insert, in lieu thereof, the words "one hundred twenty-five";

On Line 8, after the comma following the word "highway" add the following language: "unless special permission is granted by the highway department in writing,"

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 185, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 214, have had the same under consideration and recommend that the same be amended as follows:

In Line 1, strike out the word "Bonus" and insert in lieu the words "Veterans' Adjusted Compensation".

In Line 4, strike out the words "present laws" and insert in lieu the following: "income tax laws at the time for which the tax is calculated".

In Lines 7 and 8, strike out the word "Bonus" and insert in lieu "Veterans' Adjusted Compensation."

In lines 9 and 10, strike out the words "for the calendar year of 1948" and insert in lieu the following: "On the income tax liability developed in the year 1949."

In line 13, after the word "paid" insert the following: "or the accumulation in the sinking fund is sufficient to pay all bonds with interest thereon".

And when so amended recommend the same be placed on the calendar without recommendation.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 216, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 237, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 238, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, after the comma "after 1944" insert "(58 Stat. 887).";

On line 5 of the original bill, after the comma "after 1944" insert "(58 Stat. 887).";

On line 179 of the original bill, strike out the word "or" and insert in lieu thereof, the word "and", and after the word "guarantor" insert the words "or either";

On line 189 after the comma insert "(58 Stat. 887)."

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 241, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 21, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 22, have had the same under consideration and recommend that the same be indefinitely postponed.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 23, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 92, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 115, have had the same under consideration and recommend that the same be placed upon the calendar without recommendation.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 119, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 120, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator 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. 144, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 145, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom

was referred House Bill No. 146, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 147, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 195, have had the same under consideration and recommend that the same be amended as follows:

On Line 18 of the original Bill, after the word "except" strike out the rest of the Bill, and insert, in lieu thereof, the following language:

" , however, when the offense is committed in any county within an area, where there is in process of construction any federal project of such magnitude as to attract to such area a large number of people from outside the locality, then any person convicted of an offense for which he might have been sentenced to a county jail, and who is not, in the opinion of the court, permanently residing in said area, the cost of care and keep shall be paid by the state out of funds appropriated for that purpose at the rate of one dollar seventy-five cents per day per person. Provided further that whenever the State Farm is filled to capacity and there are no longer adequate facilities for additional inmates, the Board of Administration shall notify the courts of such facts and after such notice no further commitments shall be made to said institution until such facilities have been provided." and when so amended, recommend that the same be re-referred to the Committee on Appropriations without recommendation.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 266, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Work moved that the amendments to Senate Bill No. 203 be adopted, which motion prevailed.

Senator Troxel moved that the amendments to House Bill No. 43 be adopted, which motion prevailed.

MOTIONS

Senator Braun moved that Senate Bill No. 225 be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Shure moved that House Bill No. 169 be referred to the Committee on Business and Industry, which motion prevailed.

Senator Flatt moved that the action by which Senate Bill No. 235 was lost be reconsidered, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 15, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 207
Senate Bill No. 81
Senate Bill No. 118
Senate Bill No. 191
Senate Bill No. 211
Senate Bill No. 212
Senate Bill No. 223
Senate Bill No. 233

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 15, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 124
House Bill No. 162

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 15, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 76
House Bill No. 235

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 341

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 15, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 341

Which the President has signed.

W. J. TROUT, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 55

Was read the second time.

Senator Mehlhaff moved that Senate Bill No. 55 be amended

as follows: In line 12, of the engrossed bill, strike out the figure \$287,120 and insert in lieu thereof the figure \$272,120. Between lines 19 and 20 insert the following language: "Division of Oral Hygiene" and insert the figure \$15,000. Renumber the lines, which motion prevailed.

Senator Mehlhaff moved that the rules be suspended and that Senate Bill No. 55 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhaff	Shure
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Absent and not voting:

Flatt

So the bill passed and the title was agreed to.

Senate Bill No. 113

Was read the second time.

Senator Brunsdale moved that Senate Bill No. 113 be amended as follows: At the end of line 17, strike out the period and add a semi-colon and the following language: "Provided that diesel fuel having an excess of fifty hundredths percent of sulphur content shall be so labeled by a notation on the dealer's sales slip given the purchaser at the time of sale, which motion prevailed.

Senator Brunsdale moved that the rules be suspended and that Senate Bill No. 113 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Reinke
Bilden	Leno	Schoeder
Bjorlie	Lichty	Solberg

Blume	Lynch	Spiekermeier
Bridston	Mehlhoff	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	O'Brien	Tuff
Foss	Olson, Mountrail	Wahlund
Fraser	Olson, Barnes	Wolf
Freed	Page	

Those voting in the negative were:

Brant	Pyle	Shure
Braun	Rue	Welander
Flatt	Sandness	Work
Krenz		

Absent and not voting:

Morgan	Schrock
--------	---------

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the Senate recess until three o'clock, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

The Senate was on the 14th order of business.

Senator O'Brien: I understand that the floor was to be cleared of all visitors. I had a friend that I had invited to sit in the vacant chair here but when I heard that the floor was to be cleared I told him that he could not occupy this chair. I see several persons in vacant chairs who are not Senators and I request that they be asked to leave.

Senator Day: I move that the Senator from Walsh be granted the privilege of having this vacant chair occupied by one of his invited guests, which motion prevailed.

Mr. President: Sergeant-at-Arms, you will present Mr. Milo Calkins to the bar of the Senate and his attorneys are invited to take their places at the table in front of the rostrum.

Mr. Strutz: May we have the courtesy of the Senate floor.

Mr. President: You are granted the courtesy of the floor.

Mr. Strutz: May we have a motion on that, I don't want to be arrested.

Senator Day: I move that Milo Calkins and his attorneys be escorted to the Bar of the Senate by the Sergeant-at-Arms, which motion prevailed.

Milo Calkins and his attorneys were escorted to the Bar of the Senate by the Sergeant-at-Arms.

Mr. President: We have before us the defendant, Milo Calkins and his counsel, and I am going to ask the attorney for the Defendant if there are any preliminary motions that have to be made before the plea of guilty, or not guilty.

Mr. Strutz: We have several motions that we would like to have presented and acted upon before we enter our plea.

Motions argued.

Mr. President: The charges against the defendant were made by one of the Senators. The members of the Senate would be impartial and have the jurisdiction to enforce its own rules and regulations and punish their own members and other persons interfering with the legislative procedure, so I am going to have to deny the motion.

The Plea was read by defendant's counsel.

Senator Day: Is the apology a modification of the plea of not guilty?

Mr. Strutz: It is an explanation of the plea of not guilty.

Senator Day: This is a definite plea of not guilty?

Mr. Strutz: Yes.

Mr. President: The plea of the defendant is not guilty. That brings the issues before the Senate. The Secretary will read the information. The information was read from the desk.

Mr. President: Is there any evidence that you desire to present, Senator Day?

Senator Day: At this time the Judiciary Committee desires to submit and have read from the desk the statement and affidavit of R. H. Sherman and the statement of R. M. Streibel.

Mr. Strutz: Milo Calkins objects to the introduction of these affidavits for the reason that under Rule 4 of the special rules for the trial of Milo Calkins which were prepared by the Senate Committee, "If the plea is "not guilty", the testimony of the witnesses in support of the charges shall be reduced to affidavit form and filed with the Secretary of the Senate and a copy thereof supplied to the attorney for the Defendant at least twelve hours before the time designated for trial, at which time the Defendant shall present himself before the Bar of the Senate to answer such questions as may be put by any Senator. At that time, the attorney for the defense may offer such evidence as he desires." If you please, Mr. President, the affidavit of Mr. Streibel was submitted to us at four minutes after twelve this noon. We have never seen the affidavit of Mr. Sherman. I don't believe that we should be compelled to meet any issues that might be in Mr. Sherman's affidavit at this time. We object to the admission of these affidavits at this time.

Mr. President: You have read the affidavit of Senator Streibel.

Mr. Strutz: Less than three hours ago.

Senator Day: In answer to counsel's remarks, he has correctly read the rule. However, the rules also provide that within one day after presentation to him of a statement of charges, the defendant or his attorney, shall file with the Secretary of the Senate a written plea of guilty or not guilty together with any explanatory matters he desires to include. The plea that was filed confused the Judiciary Committee because the plea was accompanied by an apology and it was difficult for us to understand how one could be not guilty and at the same time apologize. Therefore we felt that there had not been entered a plea of guilty or not guilty until the matter was clarified by the counsel this afternoon. However, in view of counsel's objections and in view of the fact that

the rules do provide that he shall be given twelve hours within which to read any statement of any witness, I move that such rule be suspended, that these statements be read in evidence, and that counsel, if he feels aggrieved thereafter, and feels that he needs a continuance for the purpose of submitting further testimony because of the fact that he was prejudiced not having had these statements twelve hours, that we will grant, on his motion, a continuance so that he may, at a later time, present such evidence as he desires.

Mr. Strutz: Counsel has indicated that perhaps it was my fault that we did not get our plea in here in one day. The charges were served on Saturday. I pointed that out to one of the Senators. He said: "Take until Monday." There is nothing in the plea to confuse counsel. The plea plainly says he is not guilty. If the man had unknowingly done anything wrong he wanted to apologize.

The question being on the motion of Senator Day that the affidavits of Mr. Sherman and Senator Streibel be read from the desk, the motion prevailed.

STATEMENT OF WITNESS R. M. STREIBEL

State of North Dakota)
) ss
 County of Burleigh)

R. M. Streibel, being first duly sworn on oath deposes and says: That he is a duly qualified and acting Senator from the Thirty-third Legislative District of the State of North Dakota, and makes this Affidavit in support of the contempt proceedings against Milo Calkins; that on the 3rd day of February, 1949, while the said Senate was in session considering legislative business and while Affiant was in his seat as a member of said Senate in the Senate Chambers in the Capitol, word was brought to Affiant by one of the Senate employees that some man standing behind the railing in the corridor behind the Senate seats desired to speak to Affiant; that Affiant left his seat while said Senate was in session and approached the person indicated; that such person was the Defendant, Milo Calkins; that Affiant asked the said Milo Calkins, "Are you the man who wanted to see me?", and said Milo Calkins said "Yes."; that thereupon, the said Milo Calkins showed Affiant a printed copy of Senate Bill No. 183, and inquired about such bill; that Affiant informed Milo Calkins that said bill had been recommended by the committee for passage and would be up for final action the following day; that thereupon, the said Milo Calkins protested to Affiant against the adoption of said measure, insisting that the Baptist Old People's Home, the prospective grantee of the land described in said bill, did not need such property, and stating that he was willing to pay the State of North Dakota Two Thousand (\$2,000.00) Dollars for the property which was proposed by said bill to be conveyed to said Old People's Home; that said conversation all took place within the corridor immediately behind the seats in the Senate Chamber, which said corridor constitutes part of the Senate floor; that the said Milo Calkins had not come upon the floor of the Senate by invitation of the Senate; that he did personally lobby against and oppose the passage of a bill then pending before the Senate; that he did, within

the State Capitol, solicit opposition to the adoption of such measure, and that he did, as Affiant is informed and verily believes, misrepresent the facts in connection with such measure, in that he stated to Affiant that he had offered Two Thousand (\$2,000.00) Dollars for the tract covered by said bill, which tract embraces not to exceed three (3) acres, while Affiant is informed by the Board of Administration that the said Milo Calkins had made such offer for a larger tract, embracing approximately ten (10) acres.

R. M. STREIBEL

Subscribed and sworn to before me this 15th day of February, A. D. 1949.

(SEAL)

P. O. SATHRE

Notary Public, North Dakota.

My Commission Expires: Aug. 15, 1952.

STATEMENT OF R. H. SHERMAN

State of North Dakota }
County of Burleigh } ss.

R. H. Sherman, being first duly sworn on oath deposes and says: That he is Chairman of the Board of Administration and has his office in the State Capitol at Bismarck; that on or about the 3rd day of February, A.D. 1949, the Defendant, Milo Calkins, appeared in Affiant's office in the State Capitol and inquired about the property the Baptist Old People's Home was interested in purchasing; that Affiant advised him to see the appropriate Senate committee, whereupon, said Milo Calkins stated, "They shouldn't give away the state's property.", and Affiant replied, "It has already been given away.", and said Milo Calkins stated, "There's seven more acres on the east side of the highway, making a total of approximately nine acres, and I will give \$300 an acre for it."; that no other offer of purchase of any of said land has been submitted to Affiant or to the Board of Administration, so far as Affiant knows; that Senate Bill No. 183 involves clearing up the title on approximately two acres of land.

R. H. SHERMAN

Subscribed and sworn to before me this 15th day of February, A. D. 1949.

HARRIET ZIMMERMAN

Notary Public, North Dakota.

My commission expires May 2, 1950

Senator Day moved that the statement of R. H. Sherman and the statement of R. M. Streibel be filed, accepted as evidence in the case and printed in the journal, and that there be a roll call.

ROLL CALL

The question being on the motion of Senator Day that the statements of R. H. Sherman and R. M. Streibel be filed, accepted as evidence in the case and printed in the journal, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 0.

Those voting in the affirmative were:

Albers
Bilden

Leno
Lichty

Schrock
Schoeder

Bjorlie	Lynch	Shure
Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Sandness	Work
• Krenz		

Those voting in the negative were:

Braun	Olson, Barnes	Rue
Flatt		

So the motion was declared carried.

Senator Day: At this time I move that the decisions of the President of the Senate in overruling the motions made by counsel for the defendant be affirmed, and that we have a roll call.

ROLL CALL

The question being on the motion of Senator Day that the decision of the President of the Senate be affirmed, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

So the motion was declared carried.

Senator Day: The Committee on Judiciary has no further evidence to submit.

Mr. Strutz: Do I understand that you rest?

Senator Day: Yes.

Mr. President: Is there any Senator who wishes to make a statement?

Senator Flatt: As I am alluded to be the other member of the Senate that knows something of what happened, I would

like to make a statement. The Defendant, on this particular day, came to the back end of this corridor and informed one of the enrolling and engrossing girls that he wanted to see me. I happen to be chairman of the committee in which this bill was under discussion. When I went back there, I didn't know the gentleman. I hadn't seen him before. He asked me what the action was on this bill. I told him it had been recommended out of my committee for passage. He said, "I am sorry to hear that, because I would have given \$2,000 for that property." I told him to go back around the corridor to the Senator from Wells—to Senator Streibel who was the sponsor of the bill. That happens so many time, I didn't think it was anything very wrong. Then I came back to my seat. I noticed the gentleman sat down on the seat behind there in the corridor, so I buzzed my little buzzer for the page and she went over and informed Senator Streibel that there was a gentleman back in the corridor who would like to have words with him. Those are just the facts of the case up to the present moment.

Mr. Strutz: The prosecution now rests. Mr. President, we would like to have this body vote on a matter of dismissing the charges. We would like to have a record vote of the members of this body.

Senator Day: I believe the ordinary procedure would require that the defendant rest, if he is going to rest.

Mr. Strutz: We will submit further evidence if this is overruled.

Senator Day: We have no proceedings that requires the Senate to vote at various stages of the proceedings.

Mr. Strutz: Certainly we have an argument if the prosecution has rested and has not presented what we believe sufficient evidence.

Senator Duffy: May I suggest that if counsel for the defendant thinks there is not sufficient legal evidence, that he might be permitted to make a motion to the presiding officer for a ruling on the issues of law the same as we do in Court, but certainly counsel would never suggest in the courts of law that he would have the jury vote at the end of the plaintiff's case and then have the jury vote at the end of all the evidence and that is what he is trying to do now.

Mr. Strutz: We will make a motion to the presiding officer and then appeal from it. Mr. President, the prosecution having wholly failed to produce evidence here that would justify finding Milo Calkins guilty of contempt of this Senate, we move that these charges be dismissed.

Mr. President: The Senate, as you know Mr. Strutz, is an authoritative body in itself, it makes its own regulations to punish its members or anyone else that has willfully trespassed upon the dignity of the Senate and upon the statutes provided that the Senate operate under. Therefor I am going to have to deny your request.

Mr. Strutz: May we have an appeal from the ruling on this motion.

Mr. Strutz: The defendant appeals from the decision of the Chair.

Senator Streibel: I move that the counsel's wish be granted, which motion prevailed.

Mr. President: You may.

ROLL CALL

The question being on the motion of Senator Streibel, shall the decision of the Chair be sustained, the roll was called and there were ayes, 42; nays, 7; absent and not voting, 0.

Those voting in the affirmative were:

Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Duffy	Nordhougen	Torno
Feton	Olson Mountrail	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Sandness	Work
Krenz		

Those voting in the negative were:

Albers	O'Brien	Rue
Braun	Olson, Barnes	Troxel
Flatt		

So the appeal was declared denied.

Mr. Strutz: I would like to read and file the following statement of Milo Calkins.

Mr. President: You may proceed.

Mr. Strutz read the statement of Milo Calkins to the Senate.

Senator Day: I move that the statement of Milo Calkins presented in evidence in the case be printed in the journal, which motion prevailed.

STATEMENT AND RETURN OF MILO CALKINS

State of North Dakota)
)ss
 County of Burleigh)

Milo Calkins, being first sworn, on oath says: That he is a citizen of the United States, a resident of the State of North Dakota residing in Bismarck, in that State; that he is the owner of certain real property located in the Northeast Quarter of Section Thirty-three 139-80, West of the Fifth Principal Meridian, and which said property is located due east of the State Capitol Building of the State of North Dakota; that this affiant is the respondent and defendant in certain contempt proceedings commenced in the North Dakota State Senate, in which this affiant is charged with having, on or about the 3rd day of February, 1949, entered the said Senate Chambers in the State Capitol, without invitation from the Senate, and that he did unlawfully solicit members of the Senate to oppose a certain measure, more particularly designated as Senate Bill No. 183, which purported to transfer title to certain real estate, adjacent to

property owned by this defendant, to the Baptist Old Peoples' Home of Bismarck, North Dakota; that because of the proximity of such real estate to other property owned by this affiant, he was interested in securing the said property, if possible, and made inquiry of the Board of Administration as to whether such property was available; that this affiant was interested in such property for the reason that the Baptist Old People's Home, in erecting their new building, closed Eleventh Street and blocked the means of ingress and egress to this affiant's property by having such street vacated and closed; that if this affiant could have purchased such property which was being transferred to the Old Peoples' Home by Senate Bill No. 183 he would have had a means of ingress and egress to his property;

That after this affiant had talked to the members of the Board of Administration relative to Senate Bill No. 183, he was advised that he would have to contact members of the Senate, and suggested that affiant contact Senator Flatt; that your affiant did contact Senator Flatt and that Senator Flatt took him by the arm and led him part way around to the center of the corridor immediately behind the aisle leading down the center of the Senate Chamber and pointed out to him, a Senator whom he stated was Senator Streibel, and suggested that this affiant see Senator Streibel relative to the Bill; that this affiant thereupon went around to the west side of the corridor and sat down on the seat provided for that purpose; that shortly thereafter, Senator Streibel, without any solicitation on the part of this affiant, approached this affiant and asked this affiant whether he was the person who wanted to speak to the said Streibel; that this affiant then mentioned Senate Bill No. 183, and inquired about the Bill; that the said Streibel thereupon stated that the Bill had been recommended by the Committee for passage, and asked the affiant if he was against the Bill; that this affiant thereupon told him that he was, that he didn't feel that such Bill was necessary to the operation of the Old Peoples' Home, and that it was highly desirable that this affiant secure such property; this affiant further stated that he was willing to pay \$2,000 for the property proposed to be conveyed by the Bill; that this affiant hereby renews his offer to pay \$2,000 for the property which is proposed to be transferred by Senate Bill No. 183;

That at no time did this affiant attempt to contact Senator Streibel; that he had talked with Senator Flatt merely because that was suggested by the members of the Board of Administration, and that, after talking to Senator Flatt, he realized that the Senator, to whom Senator Flatt had pointed, was the sponsor of the Bill, and thereupon had decided not to talk to Senator Streibel about its provisions; that if Senator Streibel had not approached this affiant and asked him if he was the man who wanted to see him, that this affiant would not have contacted him;

That this affiant did not, in any way, attempt to use any unlawful means of opposing said measure, but that he was acting solely under his rights as a citizen of the United States and of the State of North Dakota, under Section 10 of the Constitution of the State of North Dakota, which specifically provides that any citizen has a right, in a peaceable manner, to apply to those invested with powers of

government for redress of grievances, or for other proper purposes, by petition, address or remonstrance.

That if this affiant has unknowingly done any act which is contrary to the Statutes of the State of North Dakota, or the Constitution thereof, or if he has in any way offended the dignity of the Senate of the State of North Dakota, or any member thereof, he wishes to apologize and to assure the members of this body that such offense was not knowingly, wilfully or intentionally made.

MILO CALKINS.

Subscribed and sworn to before me this 15th day of February, 1949.

ALVIN C. STRUTZ

Notary Public, Burleigh County,
North Dakota. My Commission expires April 20, 1949.

(SEAL)

Mr. Strutz: So far as we are concerned that is all the witnesses we have. We have no other evidence and we are now, gentlemen of the Senate, confident that you are going to do what is right, leave the matter in your hands. We know that we will have your careful consideration in the matter. We realize that we are up against it—that you have a three-fold duty here—you are the complainant, the prosecutor and the jury and judge but we know that you are American citizens and trusting in the fairness of this body, we submit this matter to you.

Senator Day: May I inquire of counsel, after having read the statements of R. H. Sherman and Senator Streibel, do you want to offer any further evidence at a later time?

Mr. Strutz: No. You are busy and don't want to monkey with this.

Senator Day: As I understand it, you withdraw your objections on the 12 hour rule?

Mr. Strutz: Yes, we withdraw our objections to that.

Senator Day: Under the rules any Senator may question the defendant at this time.

Mr. President: Are there any Senators who would like to cross-examine the defendant? If there are, I will swear the defendant and we will have the cross-examination.

There were no Senators that desired to cross-examine the Defendant.

The President read Section 12-0917 of the North Dakota Revised Code to the Senate.

Mr. Strutz: In this connection, Senator Day, is it your contention that this man was a lobbyist?

Senator Day: No.

Mr. President: The question before the Senate at this time is: "Shall the defendant be found guilty of contempt."

Senator Flatt: The other day, I informed this Senate that there were several hundred violations by lobbyists who had committed as grave, if not more grave, offenses than the Defendant in today's action. I will not refer to them by name, except one, as an example. He is well known to all of us and his operation as a lobbyist, although he be a registered lobbyist, violates many of our Senate lobby laws.

I refer to Rev. George Parrish, the temperance lobbyist. When there is anything stronger than kerosene involved in a bill he goes on the floor, from Senator to Senator, as would an industrious bee in a flower bed. The only difference, in referring to these members as flowers, is that their tastes are at variance as much as apple blossoms and zinnias. The honey in this case would be bitter as vinegar.

Today we have had in court a man who has been in the Capitol but once, and has had to suffer the embarrassment that no other lobbyist has had to sustain, because he offended one of the members of this particular body by asking information on a subject that was considered sacred and personal to this one particular Senator. I am sure that this body will not convict the Defendant, because if it should do so, it would be establishing a fence as it is commonly alluded to, around the form of government which most of us in North Dakota have agreed is Democratic.

I enjoy the visits I have with people from all over the state. Their views and discussion are helpful in arriving at conclusions. They have that privilege but if we convict this man today we are destroying that Democratic right.

Senator Day: It is not the intention of the Judiciary Committee, and I am sure it is not the intention of any Senator to persecute anyone. It is probably true that the law under which this man is being tried today has been violated thousands of times. Maybe it is also true that it is about time it was being lived up to. That a law is often violated does not justify disregarding it. Otherwise, murder, common enough, would justify repealing the law against it.

When an unlawful act is committed in the presence of the Senate and is properly called to the attention of the Senate, it cannot be overlooked.

I am going to depart from this case for a moment. May I suggest, Mr. President, that it is about time that the employees of the State of North Dakota that are among us in that capacity be stopped from spending the state's time and money in running, or attempting to run, the legislature.

Committees of this legislature properly invite department heads and department employees to appear before them with reference to facts that they have particular access to and knowledge of, to get their advice,—to get their suggestions. But the legislature is the body to make policy decisions not those employees and when the committees of either house act on matters pertaining to any department, that department should have some respect for those decisions under this law, unless, gentlemen, we want to repeal it.

The employees of the state are not justified in confronting members of the legislature to try to influence them as actively as they are doing.

We had an experience here the other day. The committee voted to indefinitely postpone a bill before it, because, in the committee's judgment, it was not good legislation, and so informed the employee who was present at the hearing. Having heard the decision of the committee, while the committee was still in session, this employee of the state came down and pestered the other Senators, and the committee members have been kept busy ever since defending the position the committee took.

It makes more work for us because these state employees are lobbying, in direct violation of that statute.

That is entirely apart from this inquiry. I am back to that now. I don't mean to infer that this man is a state employee. I made that statement only because I think it is about time that statement was made, but back to his case.

We have here simply the case of a man, whether knowingly or not—that makes no difference—violates that provision in our code. I believe this Senate can do nothing but find him guilty of contempt. Other matters may be taken into consideration on the matter of sentence, if any, that we will impose but we cannot overlook this violation. We need not go beyond his own written statement to find him guilty.

Senator Bridston: I don't think that Sections 12-0917 and 12-0918 are pertinent in this case. I presume that it is the contention of the chairman of the Judiciary committee that the second part of Section 12-0918 does have a bearing but the first part again states, "any person acting legally, counsel or agent", the second part says "any person". It is my feeling and I want to express it. There is some connection between the sections. I think these sections were written primarily to control professional lobbyist and not persons appearing in their own behalf. I am not defending the defendant entirely but I do feel that it is rather unfortunate that the man that is first brought before the Bar of the Senate should be a man appearing in his own behalf. I think he made a mistake but I can't personally vote to find him guilty and mar a record that is otherwise good. I am therefore going to vote not guilty of contempt.

Mr. Duffy: May I offer just one suggestion. I think the fact that there appears to have been some misrepresentation here should not be lost sight of. I realize that this rule is violated and has been violated many times and perhaps if he had just appeared in the corridor I might look with less degree of censure on what was done but it is now admitted that he came upon the floor of the Senate, which I understand includes the corridor, and offered \$2,000.00 for 2 acres of land involved in the Bill, when the facts in the case were, based upon the uncontradicted statements of Mr. Sherman, he offered \$300.00 an acre for this and other land, and it seems to me that the uncontradicted statements that have been presented here should be taken into consideration by the members of the Senate.

Mr. Strutz: He has renewed the offer of \$2,000.00 for this land that is in question.

ROLL CALL

The question before the Senate was "Shall the Defendant be found guilty of contempt," the roll was called and there were ayes, 25; nays, 24; absent and not voting, 0.

Those voting in the affirmative were:

Bilden	Lynch	Solberg
Bjorlie	Mehlhoff	Streibel
Blume	Nelson, McKenzie	Stucke
Brunsdale	Olson, Mountrail	Torno
Day	Page	Tuff
Duffy	Schrock	Wahlund
Feton	Schoeder	Welander
Fraser	Shure	Wolf
Leno		

Those voting in the negative were:

Albers	Krenz	Pyle
Brant	Lichty	Reinke
Braun	Morgan	Rue
Bridston	Nelson, Griggs-	Sandness
Coghlan	Steele	Spiekermeier
Flatt	Nordhougen	Strand
Foss	O'Brien	Troxel
Freed	Olson, Barnes	Work
Kamrath		

Mr. President: The defendant is therefore found guilty of contempt.

Senator Day: I believe the proper procedure is to adopt a resolution, and I present this resolution at this time.

The Resolution was read from the Desk.

Senator Day moved that the resolution be printed in the journal and adopted, which motion prevailed.

RESOLUTION

BE IT RESOLVED BY THE SENATE OF THE THIRTY-FIRST LEGISLATIVE ASSEMBLY THAT:

WHEREAS, On the 3rd day of February, 1949, the Senate was in session assembled in the State Capitol, and that said Senate had pending before it for consideration a certain measure or bill known as Senate Bill No. 183, relating to the conveyance of certain property to the Baptist Old People's Home; and

WHEREAS, One of the members of this Senate, the Honorable R. M. Streibel, brought to the attention of the Senate that one Milo Calkins had been guilty of contempt of the Senate in connection with personal lobbying against said bill within the said Capitol and upon the floor of said Senate and by misrepresentation of facts and upon such information, and on the 9th day of February, 1949, this Senate did order the arrest of the said Milo Calkins upon a charge of contempt, and the said Milo Calkins did voluntarily appear before the Bar of the Senate and submit to arrest upon such warrant; and

WHEREAS, The trial of the said Milo Calkins was set for the 11th day of February, 1949, at 3 o'clock P. M., at which time the said Milo Calkins appeared in person and by his attorney, and evidence was presented and heard and considered by this Senate, and it appearing to the satisfaction of the Senate that the said Milo Calkins did commit a contempt of this Senate on the 3rd day of February, 1949, in that within the State Capitol and upon the floor of the Senate, and in the presence of the Senate while said Senate was in session considering legislative matters, without any invitation from the Senate, unlawfully solicit members of the Senate to oppose a certain measure pending before the Senate, contrary to Section 12-0918 of the North Dakota Revised Code of 1943, and that he did personally and directly seek to influence one or more members of the Legislative Assembly to vote against a measure pending therein, otherwise than by appearing before a regular committee thereof, contrary to the provisions of Section 12-0917 of the North Dakota Revised Code of 1943, and did misrepresent the facts

relating to said measure with the purpose and intent of influencing members of this Senate in connection with their vote upon such measure;

NOW, THEREFORE, BE IT RESOLVED That the said Milo Calkins be and he is hereby determined and adjudged to be guilty of contempt of this Senate.

Senator Streibel moved that the Senate impose the lightest sentence possible under the law and that the penalty be suspended, which motion prevailed.

Senator Day: I would like to advise the President that the lightest possible sentence that can be imposed is \$50.00 fine.

Mr. President: Pursuant to the order of the Senate it becomes my duty to pronounce sentence on the defendant, Milo Calkins, and I do therefore assess a fine of \$50.00, and order that the payment of such fine be suspended.

Mr. President: The case of the Senate vs Milo Calkins has been concluded.

FIRST READING OF HOUSE BILLS

House Bill No. 6. A Bill for an Act to Amend and Reenact Sections 40-4101 of the 1947 Supplement of the North Dakota Revised Code of 1943, and 40-4102, 40-4103 and 40-4104 of the North Dakota Revised Code of 1943, Relating to Boards of Budget Review.

Was read for the first time and referred to the Committee on Finance and Taxation.

House Bill No. 66. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the State Hospital for the Insane at Jamestown, North Dakota.

Was read for the first time and referred to the Committee on Appropriations.

House Bill No. 183. A Bill for an Act to Provide for Teacher Preparation Scholarships for Qualified Residents of North Dakota Who Express an Intent to Prepare for Rural Teaching; Providing for a Board to Administer the Provisions of the Act; Making an Appropriation and Declaring an Emergency.

Was read for the first time and referred to the Committee on Education.

House Bill No. 214. A Bill for an Act to Amend and Reenact Section 57-0221 of the North Dakota Revised Code of 1943 Relating to Personal Property Tax Exemption for Certain Persons.

Was read for the first time and referred to the Committee on Finance and Taxation.

House Bill No. 217. A Bill for an Act to Amend and Reenact Section 37-1419 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Salary and Expenses of County Veterans' Service Officer.

Was read for the first time and referred to the Committee on Veterans and Military Affairs.

House Bill No. 237. A Bill for an Act to Amend and Reenact Section 36-0510 of the North Dakota Revised Code

of 1943 Relating to Inspection of Livestock Entering Sales Ring for Health, and Prescribing Fees.

Was read for the first time and referred to the Committee on Agriculture.

House Bill No. 242. A Bill for an Act to Amend and Reenact Section 40-4510 of the North Dakota Revised Code of 1943, Relating to Police Pensions and Declaring an Emergency.

Was read for the first time and referred to the Committee on Veterans and Military Affairs.

House Bill No. 247. A Bill for an Act to Amend and Reenact Sections 23-1131, 23-1132, 23-1133, 23-1134 and 23-1135 of the North Dakota Revised Code of 1943, to Authorize Housing Authorities to Undertake the Development or Administration of Projects to Assure the Availability of Safe and Sanitary Dwellings for Persons Engaged in National-defense Activities and Veterans of World War I and World War II; to Authorize housing Authorities to Cooperate With or Act as Agent of the Federal Government in the Development and Administration of Such Projects of the Federal Government, to Acquire or Lease Such Projects and to Sell Certain Projects to the Federal Government; to Authorize Public Bodies to Assist Such Projects of Housing Authorities and of the Federal Government; Defining "Veteran", and Declaring an Emergency.

Was read for the first time and referred to the Committee on State and Federal Government.

House Bill No. 248. A Bill for an Act to Amend and Reenact Section 40-4611 of the North Dakota Revised Code of 1943, Relating to Employees' Pensions in Cities and Declaring an Emergency.

Was read for the first time and referred to the Committee on Veterans and Military Affairs.

House Bill No. 249. A Bill for an Act to Facilitate Housing for Veterans of World War I and World War II; to Authorize Cooperation With the Officers and Agencies of the United States Government in Respect Thereto; Granting Certain Emergency Powers to the Governor and Any State Agency or Official Designated by Him, and Declaring an Emergency.

Was read for the first time and referred to the Committee on State and Federal Government.

House Bill No. 250. A Bill for an Act to Amend and Reenact Section 30-2311 of the North Dakota Revised Code of 1943, Relating to the Filing of Accounts by Guardians of Wards Receiving Benefits From the Veterans Administration; Providing for Certification of Securities or Investments and Bank Deposits Held by Such Guardians; Providing for the Furnishing of Copies of Accounts and Petitions to the Veterans Administration and Relating to Notices and Hearings Thereon.

Was read for the first time and referred to the Committee on Judiciary.

House Bill No. 261. A Bill for an Act Making an Appropriation to the State Historical Society for Land Acquisition, Fences, Roads, Parking Area, Picnic Area Develop-

ment, Beach Improvement and Repairs and Improvements to Lodge and Other Buildings in the Sum of Twenty-three Thousand Dollars, for Proposed Development of Lake Metigoshe State Park.

Was read for the first time and referred to the Committee on Appropriations.

House Concurrent Resolution "T."

Was read for the first time and referred to the Committee on Natural Resources.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 15, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 239

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 15, 1949

Mr. President: I have the honor to return:

Senate Bill No. 239

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 239

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 239

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 239

And the President signed the same in the presence of the Senate.

JOURNAL OF THE SENATE

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 15, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 239

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 15, 1949

Mr. President: I have the honor to transmit:

Senate Bill No. 239

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 239

Was delivered to the Governor for his approval at the hour of 4:50 p.m. o'clock, February 15, 1949.

EMIL TORNO, Chairman.

Senator Brunsdale moved that the Senate do now recess until 1:30 p.m., February 16, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-THIRD DAY AFTER RECESS AND
FORTY-FOURTH DAY

Bismarck, February 16, 1949

The Senate convened pursuant to recess taken, the President presiding.

The Senate was on the ninth order of business.

Senator Brunsdale moved that the Senate grant unanimous consent to the introduction of Senate Bill No. 242, which motion prevailed.

FIRST READING OF SENATE BILL

The Committee on Delayed Bills introduced:

Senate Bill No. 242. A Bill for an Act Making an Additional Appropriation for Expenses of the Thirty-first Legislative Assembly, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 16, 1949

Mr. President: I have the honor to transmit:

House Bill No. 202

House Bill No. 211

House Bill No. 218

House Bill No. 228

House Bill No. 272

House Bill No. 256

House Bill No. 331

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

MOTIONS

Senator Rue moved that House Bill No. 115 be re-referred to the Committee on Business and Industry, which motion prevailed.

Senator Day moved that the Senate reconsider its action in indefinitely postponing Senate Bill No. 202, which motion prevailed.

Senator Day moved that Senate Bill No. 202 be placed on the calendar, which motion prevailed.

Senator Brunsdale moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

The Senate was on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to

whom was referred Senate Bill No. 84, have had the same under consideration and recommend that the same be amended as follows:

In line 335 correct the spelling of the word "equalization" and then be placed on the calendar without recommendation.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 111, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 141, have had the same under consideration and recommend that the same be indefinitely postponed.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 157, have had the same under consideration and recommend that the same be amended as follows:

In line 10 of the title of the bill after the word convenient strike out the balance of the title and insert a period.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 176, have had the same under consideration and recommend that the same be indefinitely postponed.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 184, have had the same under consideration and recommend that the same be amended as follows:

In line 20, at the end of the line add the language: "1947 Supplement of the"

Strike out the brackets at the beginning of line 26 and at the end of line 34.

In line 26 strike out the words "two" and "forty" and insert in lieu thereof the words "four" and "fifty" respectively.

In line 29 strike out the word "eighty" and insert in lieu thereof the words "one hundred and twenty".

In line 33 strike out the word "twenty" and insert in lieu thereof the word "eighty".

Strike out all of line 35 and 36 up to and including the period.

In line 44 strike out the figure "\$120.00 and insert in lieu thereof the figure "180.00".

In line 69 after the word Dakota and the period add the

language "Every such teacher shall be advised of the provisions of this section by the school board in writing at the time of employment, and a copy of such notice with written acknowledgment thereof, shall be filed with the Teachers' Insurance and Retirement Fund Board."

At the end of line 79 add the language "1947 Supplement of the".

In line 91 after the comma insert the following language: "except that no contribution by any school district, as determined by a teacher's contribution, shall exceed four percent of the teacher's salary or the maximum contribution specified in Section 15-3914.

In line 91 strike out the word "and" and capitalize the word "such".

After line 123, insert a new section 5.

(Section 5. Amendment) Section 15-3921 of the 1947 Supplement of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-3921. Moneys Derived from Assessments and Contributions to Be Transmitted to State Treasurer. Between July fifteenth and August first of each year, the county treasurer, the secretary or disbursing officer of each state institution, the state auditor, the state board of higher education, and the board of directors of the North Dakota education association shall transmit to the state treasurer the assessments deducted and retained as provided in this chapter and which have been received by such officer or board under the provisions of this chapter, and in addition thereto, contributions to the fund in an amount equal to such assessments shall be set aside from funds available for the payment of the salary of the teachers, except that no contribution paid by any school district, association, board office or institution, as determined by a teachers contribution, shall exceed four percent of the teachers salary or the maximum contribution as specified in Section 15-3914 of this Act. Such contributions shall be transmitted to the state treasurer. The transmitting officer shall certify to the board under oath the amount of moneys received and transmitted as assessments for and contributions to the fund, and if the transmitting officer is other than a county treasurer, he shall furnish to the board a statement showing the name and monthly salary of each teacher from whom assessments have been collected by him, the total salary of such teacher, the number of months in which such teacher was employed during the year for which the statement is made, the total amount withheld from the salary of each teacher and contributed by each state institution, the state, the state board of higher education, and the North Dakota education association, in accordance with the provisions of this chapter, the total amount withheld from the salaries of all teachers included in the statement, and the total number of years each teacher listed in the statement has been a teacher in the state.

In line 124 strike out the word and figure "Section 5" and insert in lieu thereof "Section 6".

In line 140 Change "Section 6" to "Section 7".

In line 207 change "Section 7" to "Section 8" and at the end of the line add the language "1947 Supplement of the"

In lines 264 and 265 strike out the language "the maximum under the July 1, 1947 law, which is"

In line 266 after the comma strike out the rest of the line.

In line 287 change "Section 8" to "Section 9".

On page 16 strike out all of Section 9 and insert Section 10 in lieu thereof as follows:

Section 10. Amendment) Section 15-3931 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows: 15-3931. Board May Diminish Annuities. The board may reduce the annuities provided in this chapter ratably whenever, in its judgment, the condition of the fund requires a reduction in such annuities. The percentage of such reduction shall be reduced by forty percent in annuities paid to teachers completing all requirements for retirement prior to July 1, 1947.

In line 357 change "Section 10" to "Section 11".

In line 371 change "Section 11" to "Section 12".

In line 393 change "Section 11" to "Section 13".

In line 411 change "Section 12" to "Section 14" and at the end of the line add the language 1947 Supplement of"

Strike out lines 414 through 447 and insert in lieu thereof: "

15-3940. WITHDRAWAL OF MEMBER FROM FUND; DEATH OF MEMBER; REFUND. Any teacher who shall cease to be a teacher in the public schools or state institutions of this state without receiving any benefit or annuity from the fund upon such retirement, upon making written application therefor to the board within eighteen months after he has ceased to be a teacher in North Dakota, shall be entitled to the return of one-half of the amount of assessments which he has paid into the fund on salaries earned prior to July 1, 1947, and the return of the full amount of assessments which he has paid into the fund on salaries earned after July 1, 1947 without interest. If such teacher, after having withdrawn from the fund as provided in this section, shall become a teacher again in the public schools or state institutions of this state, he, within one year after he again becomes a teacher, shall return to the fund the amount which was returned to him, with simple interest at a rate to be set by the board, but not exceeding four percent per annum, from the time of such withdrawal. If the teacher who is or was a member of the fund shall die before he has retired as provided in this chapter and before he has forfeited his contributions by the failure to claim a refund as provided in this section, his designated beneficiary, or if no beneficiary has been designated, his Executor or Administrator if none such has been appointed, the State Treasurer, upon order from the Board of Trustees of this fund, shall pay to the surviving spouse or nearest relative the total amount without interest to which the heir is entitled.

In line 448 change "Section 13" to "Section 15".

And renumber the lines.

In line 1 of the title to the bill after "15-3911" add "15-3912."

Add section 15 to read as follows:

SECTION 15. AMENDMENT.) Section 15-3912 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-3912. EXTENSION OF MEMBERSHIP OPTION FOR PERSONS WHO FAILED TO EXERCISE OPTION TO JOIN FUND.) Any teacher who taught in any public school of the state prior to January 1, 1914 and ((or in any state institution)) who did not become a member of the fund by operation of law and who, under any law heretofore in effect in this state, had an option of joining or refusing to join the fund, and who failed to exercise his option to join the fund within the time heretofore permitted by law, may join the fund ((at any time prior to July 1, 1943)) by notifying the board of his intention so to do. As a condition precedent to the exercise of the right granted by this section, such teacher must pay into the fund ((the total amount of all)) contributions, at the rate in effect July 1, 1949, for all years for which he would have been required to pay had he not declined membership in the fund when he first became eligible to join, plus simple interest at the rate of six percent per annum upon each of said contributions from the time the same would have been required to be paid ((and plus a sum equal to twenty-five percent of the total amount of all such contributions and the interest thereon)).

Number the lines.

And when so amended recommend the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 225, 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 relating to drainage projects, the powers and duties of drain boards and procedure to establish, maintain and dissolve drains and drainage districts, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. IMPARTIALITY OF DRAIN BOARDS.) No member of any drain board, appointed, qualified and acting under the provisions of chapter 61-21 of the North Dakota Revised Code of 1943, shall act on any matter wherein he is personally interested, nor shall any drain board act to either promote or hinder the establishment of drains. It shall act impartially as between those favoring and those opposing any proposed project.

SECTION 2. MAINTAINING OFFICE AND FILING RECORDS.) If for any reason a separate office is not maintained at the county seat as provided by section 61-2104 of the North Dakota Revised Code of 1943, the drain board shall keep on file with the county auditor a complete record of its acts and proceedings so that the public may determine by inspection thereof what projects are pending and what action has been taken with respect thereto.

SECTION 3. EMPLOYMENT OF CLERICAL AND OTHER HELP.) Drain boards shall have power to employ such legal, clerical and technical help as may be necessary for the performance of its duties under the law. Notices or

other communications signed by the attorney or the clerk of the board shall be deemed to come from the board.

SECTION 4. FURNISHING OF COST ESTIMATES. The survey provided for in section 61-2113 of the North Dakota Revised Code of 1943 shall be sufficiently complete and detailed before the notice for hearing on petition and surveyor's report is given, so that on such hearing the board can give to each affected landowner an approximate estimate of total costs and the probable share thereof which will be assessed against the lands of said affected landowner, so that such landowner may be in a position to compare the costs and benefits before being called upon to determine whether he will favor or oppose the establishment of the proposed drain. If the estimated assessments so given any landowner by the board shall be raised more than twenty per cent in the final assessment of benefits and costs as given by the board to affected landowner for the hearing on assessments provided for by section 61-2120 of the North Dakota Revised Code of 1943, then such landowner whose assessed costs are twenty per cent or more over the estimate given him at the hearing on petition to establish drain shall have the privilege of objecting to the establishment of said drain with the same force and effect as if his objection had been made at the time of such first hearing.

SECTION 5. NOTICE OF ORDER ESTABLISHING DRAIN AND OF PERIOD FOR APPEAL.) Whenever the order shall be made establishing a drain, the board shall immediately thereupon give notice to all affected landowners of such action, such notice to be given in the same manner as the notice of the hearing on the petition to establish the drain, and such notice shall advise each landowner that his right to appeal to the district court from such order will expire in thirty days and the date of expiration of such right of appeal shall be given. Any affected landowner not given such notice shall have his right of appeal preserved for thirty days after such notice is later given him, by registered mail, at his last known address or until the time of hearing on assessments, whichever shall come last.

SECTION 6. VOTING RIGHT OR POWER OF LANDOWNERS.) In order that there may be a reasonably fair relation between the amount of liability for assessments and the power of objecting to the establishment of a proposed drain, the voice or vote of affected landowners on the question of establishing the drain shall be arrived at in the following manner:

1. Every landowner shall have at least one vote or voice.

SECTION 7. CONDUCT OF HEARING ON PETITION TO ESTABLISH DRAIN.) When the hearing provided for in section 61-2114 of the North Dakota Revised Code of 1943 is held, the board shall first prepare a roster or roll of affected landowners and shall limit voting rights to such affected landowners. A record shall be made by the board of affected landowners present in person or by agent and such records shall be preserved in the minutes of the meeting. Affected landowners shall then be informed of the probable total cost of the project and their individual share of such costs.

A reasonable time shall be afforded landowners to discuss and hear the evidence and opinion for and against the project and the board shall fix a time within which objection to the establishment of the drain as provided by section 61-2115 of the North Dakota Revised Code of 1943 shall be filed with the board. Such objections shall be in writing, but a telegram shall be deemed writing, and any form of written objection that sufficiently indicates the intention of the writer shall be sufficient. Once the deadline for signing objections has been reached, no further objections can be filed and no person objecting shall withdraw his or her name from the list of those objecting after the deadline for filing objections has been reached. Any withdrawals of objections before that time shall be in writing only, under the same rules as govern the making of objections. When the objections of affected landowners have all been filed and the deadline for filing objections has been reached, the board shall immediately proceed to determine whether or not a majority voice or vote as determined by section 6 herein is opposed to the construction of the drain. Until such determination is made, the board is without jurisdiction to take any further steps in the matter except to determine whether a majority voice or vote is objecting or not and to adopt the required resolution for discontinuance, if a majority objects.

SECTION 8. ABANDONMENT OF DRAINS AND DISSOLUTION OF DRAINAGE DISTRICTS.) In addition to the reasons or grounds stated in section 61-2164 of the North Dakota Revised Code of 1943 as amended by chapter 14, Laws of 1944, drains may be abandoned and drainage districts dissolved whenever it may be desired to make the existing drain a part of a more comprehensive system of drainage or flood control or when a drain shall have ceased to be useful by reason of the development of other means of drainage, or for any other reason, and the same proceedings shall be taken as are set out in the above mentioned statutes. The abandonment or dissolution shall not relieve the affected property owners from paying their proportionate share of any obligations or expenses that have been incurred in the establishment of said drain and which may not have been paid at the time when the same is abandoned and the drainage district dissolved.

SECTION 9. DRAIN REPAIR WHEN NEW CONSTRUCTION OR IMPROVEMENT IS INVOLVED.) When application is made to the county commissioners as provided by law, to repair and to keep open any established drain, and if the county commissioners shall find that the only practical solution of the problem presented involves the improvement, extension or additional new construction of the drain sought to be repaired, and when the county commissioners shall be in doubt as to whether such construction is within their jurisdiction, they may by resolution so declare and request the drain board of the county to take charge of said project. The drain board shall thereupon have full control and jurisdiction of said project, even though the major portion thereof may be in the nature of repair instead of construction. The provisions of law pertaining to the construction of drains shall govern the drain board in the handling of such repair and construction projects.

SECTION 10. 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."

Number the lines.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 240, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 242, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on General Affairs to whom was referred Senate Concurrent Resolution "R", have had the same under consideration and recommend that the same do pass.

G. I. FETON, Chairman.

Senator Fetton moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-FOURTH DAY

Bismarck, February 16, 1949

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Father R. A. Feehan of Bismarck.

Roll Call: All Senators present.

A quorum was declared present by the President.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-second day after recess and Forty-third day and recommends that the same be corrected as follows:

Page 458, line 19, strike out the letter "S" and insert in lieu thereof the letter "R".

Page 464, line 23, correct spelling of the word "outside."

Page 464, line 41, correct spelling of the word "You."

Page 470, line 18, strike out the letter "B" and insert in lieu thereof the letter "O", and in line 19, correct the spelling of the word "Notary."

Page 472, line 44, correct spelling of the word "officer."

Page 473, line 45, correct spelling of the word "Principal."

Page 476, line 7, correct spelling of the word "zinnias."

Page 477, line 25, strike out the word "find" and insert the word "feel."

Page 477, line 35, strike out the word "has" and insert in lieu thereof the word "had."

Page 478, line 36, correct the spelling of the word "voluntarily."

Page 472, line 58, strike out "Mr. President" and insert in lieu thereof "Mr. Strutz."

Page 473, line 4, after the name Streibel insert the following: "shall the decision of the Chair be sustained."

Page 477, line 45, strike out the word "removed" and insert in lieu thereof the word "renewed."

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 55

Senate Bill No. 113

Senate Bill No. 203

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 71

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 82, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 148, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 149, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 150, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 167, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 170, have had the same under consideration and recommend that the same do pass.
MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 206, have had the same under consideration and recommend that the same do pass.
MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 269, have had the same under consideration and recommend that the same do pass.
MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 274, have had the same under consideration and recommend that the same do pass.
MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 275, have had the same under consideration and recommend that the same do pass.
MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 277, have had the same under consideration and recommend that the same be indefinitely postponed.
MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Day moved that the amendments to Senate Bill No. 105 be adopted, which motion prevailed.

Senator Sandness moved that in the amendment to Senate Bill No. 165, the following amendment be made: In the last word in line 51 the letter "s" be stricken, which motion prevailed.

Senator Troxel moved that the amendments to Senate Bill No. 165 be adopted, which motion prevailed.

Senator Flatt moved that the amendments to Senate Bill No. 180 be adopted, which motion prevailed.

Senator Brant moved that the amendments to Senate Bill No. 214 be adopted, which motion prevailed.

Senator Flatt moved that the amendments to Senate Bill No. 238 be adopted, which motion prevailed.

Senator Flatt moved that the amendments to House Bill No. 195 be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 202
 Was read the second time.

Senator Day moved that Senate Bill No. 202 be amended as follows: At the end of the Bill after line 16, add the following language: "The Motor Vehicle Registrar shall mail all license applications for re-registration to owners not later than November 1st of each year." which motion prevailed.

Senator Day moved that Senate Bill No. 202 be amended as follows: In lines 10, 11, 14 and 15, add two parenthesis marks in each case, which motion prevailed.

Senator Day moved that Senate Bill No. 202 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 22; nays, 24; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Fraser	Schrock
Brant	Kamrath	Solberg
Braun	Leno	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Stucke
Day	Olson, Mountrail	Wahlund
Feton	Pyle	Work
Flatt	Sandness	

Those voting in the negative were:

Albers	Lichty	Rue
Bjorlie	Mehlhaff	Schoeder
Blume	Morgan	Shure
Bridston	Nordhougen	Torno
Duffy	O'Brien	Troxel
Foss	Olson, Barnes	Tuff
Freed	Page	Welanders
Krenz	Reinke	Wolf

Absent and not voting:

Lynch Nelson, McKenzie Streibel

So the bill was declared lost for lack of a majority.

Senator Strand moved that after the reading of Senate Bills No. 231, 235, 150, 185, 203, 237, 241, and House Bills No. 1, 90, 165, 169, 178, 21, 23, 43, 92, 115, 119, 120, 144, 145, 146, 147, 266, House Concurrent Resolutions "F", "K" and "N", the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

SECOND READING OF SENATE BILLS

The Senate was on the tenth order of business.

Senate Bill No. 231

Was read the second time.

Senator Morgan moved that Senate Bill No. 231 be amended as follows: In line 9, of the original bill after the comma following the figure 1945, insert the following language: "within the limits of the appropriation made by the Legislative Assembly," which motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 8; absent and not voting, 0.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Brant	Lynch	Spiekermeier
Braun	Mehlhoff	Strand
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nelson, Griggs-	Stucke
Coghlan	Steele	Torno
Day	Nordhougen	Troxel
Duffy	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Those voting in the negative were:

Blume	Morgan	Shure
Feton	O'Brien	Solberg
Flatt	Pyle	

So the bill passed and the title was agreed to.

Senate Bill No. 235

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 23; nays, 26; absent and not voting, 0.

Those voting in the affirmative were:

Braun	Freed	Pyle
Bridston	Krenz	Rue
Brunsdale	Mehlhoff	Sandness
Coghlan	Morgan	Shure
Day	Nelson, Griggs-	Spiekermeier
Duffy	Steele	Torno
Flatt	Olson, Barnes	Troxel
Foss	Page	Work

Those voting in the negative were:

Albers	Lichty	Solberg
Bilden	Lynch	Strand
Bjorlie	Nelson, McKenzie	Streibel
Blume	Nordhougen	Stucke
Brant	O'Brien	Tuff
Feton	Olson, Mountrail	Wahlund
Fraser	Reinke	Welander
Kamrath	Schrock	Wolf
Leno	Schoeder	

So the bill was declared lost for lack of a majority.

Senate Bill No. 150

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness

Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Morgan	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work

Absent and not voting:

Mehlhoff Stucke

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 185

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Pyle	Work
Kamrath	Reinke	

Those voting in the negative were:

Bilden

Absent and not voting:

Rue Stucke

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

The President called the President Pro Tem to the Chair.

Senate Bill No. 203

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness

Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work

Absent and not voting:

Olson, Mountrail Stucke

So the bill passed and the title was agreed to.

Senate Bill No. 237

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 9; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Freed	Page
Bjorlie	Kamrath	Pyle
Blume	Krenz	Reinke
Braun	Leno	Rue
Bridston	Lichty	Sandness
Brunsdale	Lynch	Schoeder
Coghlan	Mehlhoff	Spiekermeier
Day	Nelson, McKenzie	Streibel
Duffy	Nelson, Griggs-	Wahlund
Feton	Steele	Welander
Flatt	O'Brien	Wolf
Foss	Olson, Mountrail	Work
Fraser	Olson, Barnes	

Those voting in the negative were:

Albers	Schrock	Torno
Morgan	Solberg	Troxel
Nordhougen	Strand	Tuff

Absent and not voting:

Brant Shure Stucke

So the bill passed and the title was agreed to.

Senate Bill No. 241

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Spiekermeier

Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Duffy	Nordhogen	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Those voting in the negative were:

Bilden	Olson, Mountrail	Solberg
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Absent and not voting:

Stucke

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

February 15, 1949

Members of the Senate
Thirty-First Legislative Assembly
Senate Chambers
Bismarck, North Dakota
Gentlemen:

Today I have approved Senate Bill Number 239.

This bill has been filed with the Secretary of State.

Sincerely yours,

Fred G. Aandahl
Governor

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 16, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 55

Senate Bill No. 113

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 16, 1949

Mr. President: I have the honor to transmit:

House Bill No. 13

House Bill No. 31

House Bill No. 60

House Bill No. 72

House Bill No. 75

House Bill No. 76

House Bill No. 114

House Bill No. 232

House Bill No. 235

House Bill No. 289

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

FIRST READING OF HOUSE BILLS

House Bill No. 202. A Bill for an Act to Repeal Sections 51-0505 and 51-0509 of the North Dakota Revised Code of 1943, Relating to Auction Sales.

Was read for the first time and referred to the Committee on General Affairs.

House Bill No. 211. A Bill for an Act Regulating the Maximum Hours of Work an Employee, Other Than the Chief, in a Fire Department in Any City of North Dakota With a Population of Twenty Thousand or More Inhabitants, Shall be Required to Work in Any Two Week Period; and Prescribing a Penalty for Violation.

Was read for the first time and referred to the Committee on Labor Relations.

House Bill No. 218. A Bill for an Act to Amend and Reenact Chapter 272 of the Session Laws of 1947 Providing for the Exemption of Certain Disabled Veterans From Payment of Registration Fee for Vehicle Owned by Such Disabled Veteran and Exempting Such Veteran From the Payment of Sales and Use Tax on Subsequently Purchased Automobile, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Veterans and Military Affairs.

House Bill No. 228. A Bill for an Act to Amend and Reenact Section 11-1015 of the North Dakota Revised Code of 1943; Providing for Mileage of County Officials Unless Otherwise Provided by the Laws of This State, and Declaring an Emergency.

Was read for the first time and referred to the Committee on State and Federal Government.

House Bill No. 256. A Bill for an Act to Amend and Reenact Section 10-0403 of the 1947 Supplement to the North Dakota Revised Code of 1943, Defining Securities Exempted From the Provisions of Chapter 10-04 of the North Dakota Revised Code of 1943, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Industry and Business.

House Bill No. 272. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 125 of the North Dakota Session Laws of 1947, Relating to the Erection and Operation of War Memorials; Authorizing a County to Join With a City, School District, or Other Public or Private Non-profit Corporation or Agency in the Erection and Operation of Such War Memorials.

Was read for the first time and referred to the Committee on Veterans and Military Affairs.

House Bill No. 331. A Bill for an Act to Amend and Re-enact Section 34-0913 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to the Unlawfulness of Certain Practices in Labor Disputes.

Was read for the first time and referred to the Committee on Labor Relations.

Senator Brunsdale moved that the Senate do now recess until 1:00 P. M., February 17, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-FOURTH DAY AFTER RECESS
AND FORTY-FIFTH DAY

Bismarck, February 17, 1949

The Senate convened at 1:00 P. M., pursuant to recess taken,
the President presiding.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 17, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2

Which the President has signed and your signature is
respectfully requested.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 17, 1949

Mr. President: I have the honor to return:

Senate Bill No. 2

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 17, 1949

Mr. President: I have the honor to transmit:

House Bill No. 231

House Bill No. 279

House Bill No. 327

House Bill No. 339

House Concurrent Resolution "M"

Which the House has passed and your favorable considera-
tion is requested.

GEORGE OLSON, Chief Clerk.

REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respect-
fully reports that:

Senate Bill No. 2

Was delivered to the Governor for his approval at the hour
of 1:15 o'clock p. m., February 17, 1949.

EMIL TORNO, Chairman.

CONSIDERATION OF AMENDMENTS

Senator Morgan moved that the amendments to Senate Bill No. 84 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 157 be adopted, which motion prevailed.

Senator Sandness moved that the amendments to Senate Bill No. 184 be adopted, which motion prevailed.

Senator Duffy moved that the amendments to Senate Bill No. 225 be adopted, which motion prevailed.

Senator Brunsdale moved that the Senate recess until the call of the chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

Senator Day moved that he be granted the unanimous consent of the Senate to introduce a bill, which motion prevailed.

FIRST READING OF SENATE BILLS

Senator Day by unanimous consent introduced:

Senate Bill No. 243. A Bill for an Act to Amend and Reenact Section 12-0918 of the North Dakota Revised Code of 1943 Relating to Lobbyists.

Was read the first time and referred to the Committee on Judiciary.

The Senate was on the 8th order of business.

Senator Rue moved that the editorial which appeared in the Bismarck Tribune of February 17, 1949, be read from the desk which motion prevailed.

The editorial was read by the Secretary.

Senator Rue: The case of Milo Calkins may not be of much importance to some of you but to us in this district it means a great deal. I would like to have this printed in the Journal since it brings out the feelings of a great many of us. Some of us did not get up and talk yesterday. It is true that the Judiciary Chairman got up, Senator Flatt and a couple of others but the great majority of us who had no part in the Judicial work, did not enter into it and I hope that the Senate will allow this editorial to be printed in the Journal. Gentlemen of the Senate, if a citizen, coming to Bismarck, having business at the State Capitol, in his own behalf, first went to the Board of Administration and after visiting with the chairman of the Board, who is also in charge of this Capitol Building, and he came down and contacted a Senator, as he was told by the man who is in charge of this building, would you figure he was guilty of contempt. I certainly do not feel he was. As this editorial expresses my views I would like very much to have it printed in the Journal.

Senator Rue moved that the editorial be printed in the Journal, which motion prevailed.

EDITORIALS

THE CASE OF MILO CALKINS

Perhaps the trial of Milo Calkins before the bar of the North Dakota senate Tuesday was of minor significance in comparison to the important issues upon which the legislature must pass this session.

It is also true that nothing the legislature has done since it convened Jan. 4 has aroused greater public interest; and it could well be true that the significance of Tuesday's action is considerably greater than immediately meets the eye.

Already there are indications of a movement to revise the lobbying laws under which the Bismarck housemover was charged, tried, convicted and fined. There is a feeling among many legislators that the laws are too sweeping as they now stand, that they amount almost to a denial of certain rights guaranteed citizens under the constitution of state and nation.

Apparently it was the feeling of the senators that the "dignity" of the senate was in jeopardy. To uphold the dignity of that august body, frequently referred to as the court of last resort for the citizen of the state, it was necessary, apparently, to do what was done with Calkins.

The fact that Calkins' "crime," on the face of the charges and the evidence presented, was a petty one—if it was a crime at all—seemed to make no difference in the senate's urge to make an "example" of him. In the concern for the "dignity" of the senate, concern for the dignity of the individual was forgotten.

The "dignity" of the senate is something which can be smirched by members of the senate alone. Webster defines dignity as "intrinsic worth." The dignity of the senate rests with its members, not with the people who approach it, or in the manner in which people approach it. The dignity of the senate is important only insofar as it retains for the senate the esteem of the people, and the confidence of the citizens. To that extent it is vitally important. Beyond that, it means nothing.

To be sure, those who approach legislators in improper manner and with reprehensible motives should be censured, and too often are not. But in a body so elevated as the senate every effort should be made to jealously guard the rights of the individual citizen. Above all, he should not be made the victim of personal pique.

If it is a crime to voice opinion, objection or suggestion to a legislator on pending legislation in the capitol but outside of committee, then Calkins was guilty of a crime. And apparently that is a crime. But under the constitution citizens are guaranteed the right "to apply to those invested with the powers of government for the redress of grievances, or for other proper purposes, by petition, address or remonstrance."

As was suggested at the Calkins trial, if an "example" were to be desired as a warning to lobbyists, there were plenty of candidates around much more subject to censure than was Calkins. Calkins just happened to get in the way when the book was thrown.

In the same North Dakota constitution referred to above there is a provision which makes it a crime of bribery for one legislator to agree to support or oppose legislation on the condition that another legislator support or oppose other legislation. This is what is commonly referred to as "log-rolling;" but apparently it never occurs in the legislature, because no senator or representative has been hailed before the legislative bar on this charge. Still another provision of the constitution provides that any legislator with "a personal or private interest" in pending matters must disclose that fact to the house of which he is a member, and then vote only

if the house consents. But not many have been the times when legislators have so declared themselves.

Irrespective of the merits of the Calkins case, however, Tuesday's proceedings are bound to have some effect. Surely the lobbyist will step more warily hereafter. A precedent has been set, and there is no telling now how far reaching may be its applications in the future.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-FIFTH DAY

Bismarck, February 17, 1949

The Senate convened at 2:00 p.m., the President presiding. Prayer by the Chaplain Father R. A. Feehan of Bismarck. Roll Call: All Senators present.

A quorum was declared present by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-third day and after recess and Forty-Fourth day and recommends that the same be corrected as follows:

Page 484, line 6, correct the spelling of the word "recommendation."

Page 486, line 45, correct the spelling of the word "beneficiary."

Page 492, line 51, strike out the figure "124" and insert in lieu thereof the figure "214".

Page 493, line 52, correct the spelling of the word "language."

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 17, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 150

Senate Bill No. 185

Senate Bill No. 203

Senate Bill No. 231

Senate Bill No. 237

Senate Bill No. 241

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 17, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 22

House Bill No. 277

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 17, 1949

Mr. President: I have the honor to transmit:

House Bill No. 203

House Bill No. 254

House Bill No. 273

House Bill No. 306

House Bill No. 309

House Bill No. 310

House Bill No. 314

House Bill No. 330

House Bill No. 336

House Bill No. 342

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 105

Senate Bill No. 165

Senate Bill No. 180

Senate Bill No. 214

Senate Bill No. 238

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 35, have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted.

Senator O'Brien made a substitute motion that House Bill No. 35 be placed on the calendar, which motion was declared lost.

The question was on the motion of Senator Flatt that the Committee Report on House Bill No. 35 be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 37, have had the same under consideration and recommend that the same be amended as follows:

On line 18, after the word "label" insert the following language: ", or in an accompanying instruction sheet, folder or booklet,"

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 62, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 64, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 68, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 69, have had the same under consideration and recommend that the same be amended as follows:

In line 6 strike out the figure \$506,675.00 and insert the figure \$508,875.00 in lieu thereof.

In line 52 strike out the figure \$8,400.00 and insert the figure \$9,600.00 in lieu thereof.

In line 56 strike out the figure \$3,000.00 and insert the figure \$4,500.00 in lieu thereof.

In line 64 strike out the figure \$738,675.00 and insert the figure \$740,875.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 71, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 97, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 166, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 215, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 268, have had the same under consideration and recommend that the same be amended as follows:

On line 8, strike out the parenthesis and "pro-", all of line 9 and line 10 up to and including the period and parenthesis.)"

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 270, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "O", have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 105

Was read the second time.

Senator Day moved that Senate Bill No. 105 be amended as follows: In line 79 of the engrossed bill the word "two" be stricken and the word "five" inserted in lieu thereof, which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 105 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Brant	Lichty	Sandness
Braun	Lynch	Shure
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Stucke

Duffy	Nordhogen	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Those voting in the negative were:

Albers	Leno	Solberg
Bjorlie	Schrock	Wahlund
Blume	Schoeder	

Absent and not voting:

Mehlhoff	O'Brien
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So the bill passed and the title was agreed to.

Senator Strand moved that after the reading of Senate Bills No. 111, 165, 180, 214, 238, 240, 242, 84, 157, 184, and 225, Senate Concurrent Resolution "R", the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 105

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 84

Senate Bill No. 157

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 225

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 111

Was read the second time.

Senator Streibel moved that Senate Bill No. 111 be amended as follows: "In lines 4 and 5 of the printed bill strike out "eight million three hundred forty-nine thousand three hundred seventy-six" and insert in lieu thereof "five million", which motion was declared lost.

Senator O'Brien moved that Senate Bill No. 111 be amended as follows: At the end of the Bill insert the following: "Section 2. It is hereby specifically provided that not less than 30% of the funds made available under this Act shall be expended for construction and repairs of secondary highways." which motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 12; absent and not voting, 0.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Blume	Lichty	Sandness
Brant	Lynch	Schrock
Braun	Mehlhoff	Schoeder
Bridston	Morgan	Shure
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	Olson, Barnes	Welanders
Flatt	Page	Wolf
Foss	Pyle	Work
Freed	Reinke	

Those voting in the negative were:

Albers	Leno	Streibel
Bjorlie	O'Brien	Stucke
Fraser	Olson, Mountrail	Tuff
Kamrath	Solberg	Wahlund

So the bill passed and the title was agreed to.

Senator Nordhougen: I want to explain my vote and want it recorded in the Journal. The people from every location of North Dakota are fully aware of the problem of roads throughout this state. They want roads and are demanding them. It is for the Legislature to use its best possible judgment on the method of raising money and supervising a state road building and reconstruction program for the next biennium. I am not in full accord of the transfer from the general fund to the highway department of the amount of money which Senate Bill No. 111 calls for, without the highway commissioner giving some assurance that this money transferred from our general fund and matched with federal monies for the construction and reconstruction of public highways within this state be distributed to all locations of the state and full consideration be given to the secondary and feeder highways road system so that the rural areas get their full consideration in the way of state road building programs. In this, I believe the people are fully entitled to, due to the fact that this money asked for to be transferred from the general fund of the State Treasurer to the North Dakota Public Highways belongs to all the people of the state and likewise should receive equitable distribution and consideration in the way of state and federal road work.

Senator Streibel: I want to explain my vote too and want it recorded in the Journal. I want it recorded as I have no excuse to offer for my vote. The reason I did not support

this bill is because I was not satisfied with the distribution over the past several years.

Senator Blume: I supported this bill because I figure we need the federal funds that we are required to meet, but I did feel that it should be spread out over the state more evenly. I hope this remark in the Journal will clear up the fact that I am for matching the federal funds but not satisfied with the distribution.

Senate Bill No. 165

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Kamrath	Schrock
Bilden	Krenz	Schoeder
Bjorlie	Leno	Shure
Blume	Lichty	Solberg
Brant	Lynch	Spiekermeier
Braun	Mehlhoff	Strand
Bridston	Morgan	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Coghlan	Nordhougen	Torno
Day	O'Brien	Troxel
Duffy	Olson, Barnes	Tuff
Feton	Pyle	Wahlund
Flatt	Reinke	Welanders
Foss	Rue	Wolf
Fraser	Sandness	Work
Freed		

Those voting in the negative were:

Olson, Mountrail Page

Absent and not voting:

Nelson, Griggs-
Steele

So the bill passed and the title was agreed to.

Senate Bill No. 180

Was read the second time.

Senator Day moved that Senate Bill No. 180 be amended as follows: Strike out all of line 7 of the printed bill and the words "line of" in line 8 and instead insert the word "along", which motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 28; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:

Bjorlie	Leno	Rue
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Bridston	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Streibel
Feton	O'Brien	Troxel

Flatt	Olson, Mountrail	Wahlund
Foss	Page	Wolf
Fraser	Reinke	Work
Kamrath		

Those voting in the negative were:

Albers	Krenz	Schrock
Bilden	Mehlhoff	Solberg
Braun	Nelson, Griggs-	Strand
Brunsdale	Steele	Stucke
Day	Nordhougen	Torno
Duffy	Olson, Barnes	Tuff
Freed	Sandness	Welander

Absent and not voting:

Pyle

So the bill passed and the title was agreed to.

The Senate was on the eighth order of business.

Senator Nordhougen: I want to call the attention of the Senate to the fact that one of the sweet little girls that has been around the hotel the last few weeks, her name is Catherine Ann Wicks, the daughter of Joe Wicks, passed away yesterday. I feel that it is only fitting and appropriate that we as members of the Senate, extend our sympathies to the parents of this child, by taking up a memoriam for this little girl. I move that the page canvass the Senate for the purpose of collecting this memoriam and that it be given to Mrs. Joe Wicks, which motion prevailed.

Senate Bill No. 214

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 26; nays, 22; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Lynch	Solberg
Bjorlie	Nordhougen	Spiekermeier
Blume	O'Brien	Streibel
Day	Olson, Mountrail	Stucke
Fraser	Olson, Barnes	Troxel
Kamrath	Page	Wahlund
Krenz	Sandness	Welander
Leno	Schrock	Wolf
Lichty	Schoeder	

Those voting in the negative were:

Brant	Foss	Reinke
Braun	Freed	Rue
Bridston	Mehlhoff	Shure
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Torno
Duffy	Nelson, Griggs-	Tuff
Feton	Steele	Work
Flatt	Pyle	

Absent and not voting:

Bilden

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that the vote by which Senate Bill No. 214, was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 238

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Streibel
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Pyle	Work
Kamrath	Reinke	

Those voting in the negative were:

Stucke Tuff

Absent and not voting:

Bilden

So the bill passed and the title was agreed to.

Senator Solberg: Mr. President: I want to explain my vote on Senate Bill No. 238. The possibilities of the Missouri-Souris Project are broad enough to stagger the imagination. I am opposed to the method set up whereby 15 counties are included in this district when, as a matter of fact, the entire State of North Dakota is going to benefit through this project, but rather than oppose this bill and possibly not give the State of North Dakota a chance to get a start, I am voting for it in the hope that in future legislation these particular boundaries of the District can be reorganized.

Senate Bill No. 240

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier

Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 242

Was read the second time.

Senator Brunsdale moved that Senate Bill No. 242 be amended as follows: After line 10, insert line "10½ Legislative employees, \$7,000.00." In Line 11 strike out the figure \$2,300.00 and insert in lieu thereof the figure \$9,300.00, which motion prevailed.

Senator Brunsdale moved that the rules be suspended and that Senate Bill No. 242 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Shure
Braun	Morgan	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Stucke

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brunsdale moved that Senate Bill No. 84 be placed at the bottom of the calendar, which motion prevailed.

Senate Bill No. 157

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Reinke
Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Duffy	Nordhousen	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Pyle	Work

Absent and not voting:

Rue Stucke

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Nelson of McKenzie moved that the vote by which Senate Bill No. 157 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the vote by which Senate Bills No. 105, 111, 165, 180, 238, 240, 242, was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 225

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness
Bjorlie	Lichty	Schrock
Blume	Leno	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work

Absent and not voting:

Nordhougen Stucke

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that the vote by which Senate Bill No. 225 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 84

Was read the second time.

Senator Brunsdale moved that Senate Bill No. 84 be amended as follows: In line 30 of the printed bill strike out the comma and the following words "for the purpose of promoting"; strike out all of line 31 and insert the following language, "submit to the electors of the state the question of issuing bonds on the State in an amount not exceeding five million dollars for the purpose of engaging"; in line 33 strike out the two words "may establish" and insert in lieu thereof "establishing"; in line 70 strike out the words "cement plant shall be constructed"; strike out all of line 71 and insert in lieu thereof "question shall be submitted to the electors"; line 184 after the word "shall" insert the following language "when authorized by a vote of the majority of the electors voting thereon"; line 192 after the word "Dakota" insert the following language "and when authorized by a vote of a majority of the electors voting thereon"; at the end of the bill insert a new section, "Section 28. In the event the industrial commission shall determine to submit to the electors of the state the question of issuing bonds as herein authorized, such commission shall certify such question to the Secretary of State and he shall cause such question to be submitted to the electors at the next state wide election in substantially the following form: "Shall the State of North Dakota issue its bonds in the aggregate amount of not to exceed five million dollars for the purpose of establishing and maintaining a state owned cement plant". The Secretary of State shall certify such question to the several county auditors and the election thereon shall be conducted and notice thereof shall be given in substantially the same manner as initiated measures are submitted to the electors of the state." which motion prevailed.

Senator Brunsdale moved that the rules be suspended and that Senate Bill No. 84 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 29; nays, 16; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Solberg
Braun	Morgan	Streibel
Bridston	Nelson, McKenzie	Tuff
Feton	Nordhougen	Wahlund
Flatt	O'Brien	Welander

Fraser	Olson, Mountrail	Wolf
Freed	Reinke	

Those voting in the negative were:

Brant	Krenz	Rue
Brunsdale	Mehlhaff	Shure
Coghlan	Olson, Barnes	Spiekermeier
Day	Page	Troxel
Duffy	Pyle	Work
Foss		

Absent and not voting:

Nelson, Griggs- Steele	Strand Stucke	Torno
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So the bill passed and the title was agreed to.

Senator Bridston moved that the vote by which Senate Bill No. 84 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution "R"

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, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Kamrath	Reinke
Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhaff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nordhougen	Streibel
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Wahlund
Flatt	Olson, Barnes	Welander
Foss	Page	Wolf
Fraser	Pyle	Work
Freed		

Those voting in the negative were:

Tuff

Absent and not voting:

Day	Strand	Torno
Nelson, Griggs- Steele	Stucke	

So the resolution passed and the title was agreed to.

Senator Flatt moved that the vote by which Senate Concurrent Resolution "R" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 184

Was read the second time.

Senator Schrock moved that Senate Bill No. 184 be amended as follows: In line 434 after the word "withdrawal" and the period, strike out the balance of the section and

insert the following language: "If the teacher who is or was a member of the fund shall die before he has retired as provided in this chapter and before he has forfeited his contributions by the failure to claim a refund as provided in this section his designated beneficiary, or if no beneficiary has been designated, his executor or administrator, or if no executor or administrator has been appointed then the surviving spouse or heirs at law shall be entitled to receive from the fund the total amount without interest to which the beneficiary or heirs may be entitled." which motion prevailed.

Senator Schrock moved that the rules be suspended and that Senate Bill No. 184 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Freed	Reinke
Bilden	Kamrath	Rue
Bjorlie	Krenz	Sandness
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Shure
Bridston	Mehlhoff	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson McKenzie	Streibel
Day	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Flatt	Nordhougen	Welander
Foss	Page	Wolf
Fraser	Pyle	Work

Absent and not voting:

Nelson, Griggs-	Strand	Torno
Steele	Stucke	

So the bill passed and the title was agreed to.

Senator Schrock moved that the vote by which Senate Bill No. 184 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 17, 1949

Mr. President: I have the honor to transmit:

House Bill No. 5
House Bill No. 163
House Bill No. 226
House Bill No. 241
House Bill No. 258
House Bill No. 264
House Bill No. 271
House Bill No. 282
House Bill No. 343

House Bill No. 344

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 17, 1949

Mr. President: I have the honor to transmit:

House Bill No. 288

House Bill No. 307

House Bill No. 335

House Bill No. 340

House Bill No. 347

House Concurrent Resolution "S"

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

FIRST READING OF HOUSE BILLS

House Bill No. 5. A Bill for an Act Providing for Payments from the State Equalization Fund to the County Equalization Funds; Providing for Determination of Sums to Be Paid and Manner of Payment; Amending Sections 15-4019, 15-4020, 15-4021 and 15-4024 of the North Dakota Revised Code of 1943 and Repealing Sections 15-4013, 15-4015, 15-4016 and 15-4017 of the North Dakota Revised Code of 1943 and Sections 15-4011, 15-4012, 15-4014 and 15-4018 of the 1947 Supplement to the North Dakota Revised Code of 1943.

Was read for the first time and referred to the Committee on Education.

House Bill No. 163. 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.

Was read for the first time and referred to the Committee on Finance and Taxation.

House Bill No. 203. A Bill for an Act to Amend and Reenact Section 39-0459 of the 1947 Supplement to the North Dakota Revised Code of 1943 Relating to Motor Vehicle Dealer License Fees; Additional Number Plates; and Requirements of an Applicant for Motor Vehicle Dealer License.

Was read for the first time and referred to the Committee on State and Federal Government.

House Bill No. 226. A Bill for an Act to Amend and Reenact Section 40-5107 of the 1947 Supplement to the North Dakota Revised Code of 1943 and Section 40-5108 of the North Dakota Revised Code of 1943, Relating to Inclusion of Territory Within City Limits by Resolution Initiated by Governing Body of City, Providing for a Computation of Property Owners, Providing That Territory Within Another

Municipality Shall Not Be Annexed; Providing for Publication of Resolution; Providing for Protest; Providing Under What Circumstances Property Shall Not Be Annexed; Providing for a Hearing Thereof and for Personal Inspection of the Territory Proposed To Be Annexed; and Providing That Lands Used Exclusively for Farming or Pasturage Purposes Shall Not Be Annexed, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Political Subdivisions.

House Bill No. 231. A Bill for an Act Reappropriating Any Unused Funds Previously Appropriated for the Veterans' Emergency Fund.

Was read for the first time and referred to the Committee on Veterans and Military Affairs.

House Bill No. 241. A Bill for an Act to Amend and Reenact Section 4-0712 of the North Dakota Revised Code of 1943, Relating to the Adoption, Amendment and Contents of By-laws.

Was read for the first time and referred to the Committee on Judiciary.

House Bill No. 254. A Bill for an Act Providing for Annexation of Remaining Portions of Reorganized School Districts to Other Districts.

Was read for the first time and referred to the Committee on Education.

House Bill No. 258. A Bill for an Act to Amend and Reenact Section 30-1802 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Notice to Creditors by Administrators or Executors.

Was read for the first time and referred to the Committee on Judiciary.

House Bill No. 264. A Bill for an Act to Amend and Reenact Section 15-5314 and 15-5320 of the 1947 Supplement to the North Dakota Revised Code of 1943 Relating to the Reorganization Plan for School Districts To Be Submitted to the State Committee, and the Method of Voting in the Reorganized Districts.

Was read for the first time and referred to the Committee on Education.

House Bill No. 271. A Bill for an Act to Provide for Continued Operation of Schools in Reorganized Districts.

Was read for the first time and referred to the Committee on Education.

House Bill No. 273. A Bill for an Act Authorizing the Creation, Establishment and Operation of Investment Trust Companies in the State of North Dakota, Providing for the Supervision Thereof by the State Examiner, and Regulating the Business To Be Conducted by Such Companies.

Was read for the first time and referred to the Committee on Industry and Business.

House Bill No. 279. A Bill for an Act to Amend and Reenact Subsection 5 of Section 23-0603 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to the Duty of Counties to Bury Deceased Persons.

Was read for the first time and referred to the Committee on Social Welfare.

House Bill No. 282. A Bill for an Act to Amend and Reenact Sections 57-1524 and 57-1525 of the North Dakota Revised Code of 1943, Relating to County School Funds.

Was read for the first time and referred to the Committee on Education.

House Bill No. 288. A Bill for an Act to Amend and Reenact Sections 43-0901, 43-0902, 43-0904, 43-0905, 43-0911, 43-0913, 43-0914 and 43-0920 of the North Dakota Revised Code of 1943 and Repealing Section 43-0903 of the North Dakota Revised Code of 1943, Relating to Electricians.

Was read for the first time and referred to the Committee on Industry and Business.

House Bill No. 306. A Bill for an Act Assessing and Levying on All Licensed Dealers of Motor Vehicle Fuels, a Special License Tax of Two Cents Per Gallon on Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed, Appropriating the Proceeds of Such Special Tax to the "Special County and State Highway Construction Fund", Providing for the Division of Said Fund Between the State Highway Department and the Counties of the State for Construction and Reconstruction of Secondary State Highways, and the Construction and Reconstruction of County and Township Roads, Making Certain Provisions of Chapter 57-41 of the North Dakota Revised Code of 1943 as amended and Chapter 57-50 of the 1947 Supplement to the North Dakota Revised Code of 1943 Applicable to Said Special License Tax, and Providing a Penalty.

Was read for the first time and referred to the Committee on Transportation.

House Bill No. 307. A Bill for an Act to Amend and Reenact Sections 39-1301 and 39-1302 of the North Dakota Revised Code of 1943, Relating to Traffic Signs.

Was read for the first time and referred to the Committee on Transportation.

House Bill No. 309. A Bill for an Act to Amend and Reenact Section 43-1813 of the North Dakota Revised Code of 1943, Relating to Licenses for Plumbers.

Was read for the first time and referred to the Committee on General Affairs.

House Bill No. 310. A Bill for an Act to Amend and Reenact Section 39-1605 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Suspension of Drivers and Owners Licenses and Privileges After Motor Vehicle Accidents.

Was read for the first time and referred to the Committee on Transportation.

House Bill No. 314. A Bill for an Act to Amend and Reenact Section 50-0713 of the North Dakota Revised Code of 1943, Relating to the Minimum Amount of Old Age Assistance and Declaring an Emergency.

Was read for the first time and referred to the Committee on Social Welfare.

House Bill No. 327. A Bill for an Act to Amend Section 6-0121 of the North Dakota Revised Code of 1943, Relating to Examinations by the State Examiner.

Was read for the first time and referred to the Committee on Industry and Business.

House Bill No. 330. A Bill for an Act to Amend and Re-enact Section 34-0903 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to the Regulating of Labor Relationships, Unions or Other Associations, Etc., and Extending the Benefits of Said Act to Employers, Associations of Employers, and Others.

Was read for the first time and referred to the Committee on Labor Relations.

House Bill No. 335. A Bill for an Act to Amend Sub-paragraph Numbered 2 of Section 11-1701 of the Revised Code of 1943, Relating to the Duties of the Clerk of Court; and to Provide for the Appointment of Deputies in Certain Counties, Official Bonds for Such Deputies, and Providing for Fixing Salaries, and Prescribing Duties for Such Deputies, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Judiciary.

House Bill No. 336. A Bill for an Act to Provide for the Installation of Head and Rear Lights on Track Motor Cars Operated by Railroads and Providing a Penalty.

Was read for the first time and referred to the Committee on Transportation.

House Bill No. 339. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Postage, Supplies, Printing, Furniture and Fixtures Fund of the Tax Commissioner, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Appropriations.

House Bill No. 340. A Bill for an Act to Amend and Re-enact Section 15-3602 of the 1947 Supplement to the North Dakota Revised Code of 1943 Relating to Second Grade Elementary Teaching Certificates.

Was read for the first time and referred to the Committee on Education.

House Bill No. 342. A Bill for an Act to Amend and Re-enact Sections 39-0102 and 39-0103 of the North Dakota Revised Code of 1943, Providing for the Names To Be Printed on State-owned Motor Vehicles; Providing a Penalty and Prohibiting the Use of any State-owned Motor Vehicle for Private Use or Political Activities, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Transportation.

House Bill No. 343. A Bill for an Act to Amend and Re-enact Subdivision (1) of Subsection C of Section 52-0920 of the 1947 Supplement to the North Dakota Revised Code of 1943, Providing for the General Welfare of Public Employees by Establishing an Old Age and Survivor Insurance System, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Political Subdivisions.

House Bill No. 344. A Bill for an Act to Amend and Re-enact Section 40-4601 of the North Dakota Revised Code of 1943 with Reference to Pensions for City Employees and

Providing that Members of the Police Force and the Fire Department of Any City Shall Not Be Considered Employees of Said City for the Purpose of the Provisions of Chapter 40-46 of the North Dakota Revised Code of 1943, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Political Subdivisions.

House Bill No. 347. A Bill for an Act Authorizing and Relating to Contracts by Cities for the Purchase and Installation of Water Treatment Plants and the Financing Thereof Out of the Net Earnings of Such Plants, and Declaring an Emergency.

Was read for the first time and referred to the Committee on Political Subdivisions.

House Concurrent Resolution "M". A Concurrent Resolution in Regard to the Sale of Certain Comic Books.

Was read for the first time and referred to the Committee on Social Welfare.

House Concurrent Resolution "S"

Was read for the first time and referred to the Committee on Agriculture.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 71

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 13
House Bill No. 31
House Bill No. 60
House Bill No. 72
House Bill No. 75
House Bill No. 76
House Bill No. 114
House Bill No. 232
House Bill No. 235
House Bill No. 289

And the President signed the same in the presence of the Senate.

Senator Brunsdale moved that the Senate do now recess until 1:00 p.m., February 18, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-FIFTH DAY AFTER RECESS
AND FORTY-SIXTH DAY

Bismarck, February 18, 1949

The Senate convened at 1:00 P. M., pursuant to recess taken,
the President Pro Tem presiding.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 18, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 84
Senate Bill No. 105
Senate Bill No. 111
Senate Bill No. 165
Senate Bill No. 157
Senate Bill No. 180
Senate Bill No. 184
Senate Bill No. 242
Senate Bill No. 225
Senate Bill No. 240
Senate Bill No. 238
Senate Concurrent Resolution "R"

Which the Senate has passed and your favorable consid-
eration is requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 18, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 13
House Bill No. 31
House Bill No. 60
House Bill No. 72
House Bill No. 75
House Bill No. 76
House Bill No. 114
House Bill No. 232
House Bill No. 235
House Bill No. 289

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 18, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 71

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 18, 1949

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 162 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Mollet, Bymers, and Einarson.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 18, 1949

Mr. President: I have the honor to return:

Senate Bill No. 27, which the House has amended as follows:

In the last line of the title, strike out the period, insert a comma, and add the following: "and declaring an emergency." At the end of the bill add the following: "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."

Renumber the lines accordingly.

Senate Bill No. 96, which the House has amended as follows:

In line 6 after the word "elected" add the words "or appointed".

Senate Bill No. 124, which the House has amended as follows:

In line 31 strike out the word "commissioner" and put in lieu thereof the word "attorney general".

Renumber the lines accordingly.

GEORGE OLSON, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 1

Was read the 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, 15; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Lichty	Spiekermeier
Bjorlie	Lynch	Streibel
Blume	Mehlhoff	Stucke
Brunsdale	Nordhougen	Torno
Coghlan	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff

Flatt	Page	Wahlund
Foss	Sandness	Welander
Fraser	Schrock	Wolf
Kamrath	Schoeder	Work
Leno	Solberg	

Those voting in the negative were:

Brant	Krenz	Pyle
Braun	Morgan	Reinke
Bridston	Nelson, Griggs-	Rue
Day	Steele	Shure
Duffy	Olson, Barnes	Strand
Freed		

Absent and not voting:

Bilden	Nelson, McKenzie
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

The Senate was on the eighth order of business.

Senator Flatt moved that the Senate override the action of the President in his ruling to accept the motion of Senator Day which was the clincher motion on Senate Bill No. 214.

Senator Day: The motion that has just been made is made with the President Pro Tem in the chair. The Lieutenant Governor who was presiding yesterday is not presiding now. The motion is in effect an appeal from the decision of the Lieutenant Governor. I maintain that the motion is untimely and I maintain that it cannot be made with another officer presiding.

President Pro Tem: Are you objecting to this procedure?

Senator Day: I question the propriety of it, yes.

President Pro Tem: Objection overruled.

Senator Day: I appeal from the decision of the Chair in overruling this objection.

Senator Day: I rise to a point of order here. This appeal from the Chair by Senator Flatt is out of order because it is untimely not having been made before the clincher and because his appeal is being made to a different presiding officer. The appeal should be made to the officer that made the ruling.

President Pro Tem: I rule that the only proper motion to come before this body is a motion to reconsider the action by which Senate Bill No. 214 was passed.

Senator Page moved that the Senate reconsider the action by which Senate Bill No. 214 was passed, which motion was declared lost for lack of a two-thirds majority.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 243, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Day moved that the rules be suspended and that Senate Bill No. 243 be placed upon second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 243

Was read the second time.

Senator Stucke moved that Senate Bill No. 243 be amended as follows: In line 17 the words "elected state official and the comma be stricken," which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 243 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Spiekermeier
Braun	Mehlhoff	Strand
Bridston	Nelson, Griggs-	Streibel
Brunsdale	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Tuff
Feton	Page	Wahlund
Fraser	Reinke	Welander
Freed	Rue	Wolf

Those voting in the negative were:

Coghlan	Morgan	Solberg
Flatt	Olson, Barnes	Troxel
Foss	Pyle	Work

Absent and not voting:

Nelson, McKenzie Olson, Mountrail

So the bill passed and the title was agreed to.

Senator Day moved that the vote by which Senate Bill No. 243 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 21

Which has been read.

Senator Brant moved that House Bill No. 21 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

House Bill No. 23

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Krenz	Schrock
Bilden	Lichty	Schoeder
Bjorlie	Lynch	Shure

Blume	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Bridston	Steele	Streibel
Brunsdale	Nordhougen	Stucke
Coghlan	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath	Sandness	

Absent and not voting:
 Day Leno Nelson, McKenzie
 So the bill passed and the title was agreed to.
 House Bill No. 43
 Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Schrock
Bilden	Leno	Schoeder
Bjorlie	Lichty	Shure
Blume	Lynch	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, Griggs-	Strand
Bridston	Steele	Streibel
Brunsdale	Nordhougen	Torno
Coghlan	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Reinke	Wolf
Kamrath	Rue	

Those voting in the negative were:

Day	Mehlhoff	Sandness
Flatt	Pyle	Work
Foss		

Absent and not voting:

Nelson, McKenzie Stucke

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 90

Which has been read.

Senator Strand moved that House Bill No. 90 be indefinitely postponed, which motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 30; nays, 17; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Schoeder
Bilden	Leno	Solberg
Bjorlie	Lichty	Spiekermeier
Blume	Lynch	Streibel
Bridston	Nordhougen	Stucke
Coghlan	Olson, Mountrail	Tuff
Day	Page	Wahlund
Duffy	Pyle	Welander
Feton	Reinke	Wolf
Flatt	Schrock	Work
Fraser		

Those voting in the negative were:

Brant	Mehlhaff	Rue
Braun	Morgan	Sandness
Brunsdale	Nelson, Griggs-	Strand
Foss	Steele	Torno
Freed	O'Brien	Troxel
Krenz	Olson, Barnes	

Absent and not voting:

Nelson, McKenzie Shure

So the bill passed and the title was agreed to.

House Bill No. 92

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhaff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Absent and not voting:

Nelson, McKenzie

So the bill passed and the title was agreed to.

House Bill No. 119

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Freed	Rue
Bilden	Kamrath	Sandness
Bjorlie	Krenz	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Torno
Day	Nordhougen	Troxel
Duffy	O'Brien	Tyff
Feton	Olson, Mountrail	Wahlund
Flatt	Olson, Barnes	Welander
Foss	Pyle	Wolf
Fraser	Reinke	Work

Absent and not voting:

Leno	Page	Stucke
Nelson, McKenzie	Strand	

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 84
Senate Bill No. 184
Senate Bill No. 242

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 243

And find the same correctly Engrossed.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 18, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 243

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 18, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 214

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-SIXTH DAY

Bismarck, February 18, 1949

The Senate convened at 2:00 P. M., the President presiding. Prayer by the Chaplain, Father Aydt, of Bismarck, North Dakota.

Roll call: All Senators present except Senator Nelson of McKenzie.

A quorum was declared present by the President.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-fourth day after recess and Forty-fifth day and recommend that the same be corrected as follows:

Page 501, line 59, correct the spelling of the word "matters".

Page 503, after line 39 insert the following: "Senator Flatt moved that the report be adopted." Strike out lines 43 and 44. After line 44 insert the following, "The question was on the motion of Senator Flatt that the Committee report on House Bill No. 35 be adopted, which motion prevailed."

Page 506, line 55, correct the spelling of the word "declared."

Page 509, line 20, correct the spelling of the name "Catherine."

Page 513, line 13 strike out the word "add".

Page 520, strike out lines 16, 17, and 18.

Page 509, line 55, strike out the words "and the" and strike out all of line 56.

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 9, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 26, have had the same under consideration and recommend that the same be amended as follows:

In line 175 strike out the bracket and also in line 179 strike out the bracket and also the period after the word located and insert in lieu thereof a comma and insert the word "except".

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 56, have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure \$90,213.00 and insert the figure \$95,213.00 in lieu thereof.

In line 12 strike out the figure \$17,000.00 and insert the figure \$22,000.00 in lieu thereof.

In line 16 strike out the figure \$90,213.00 and insert the figure \$95,213.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 58, have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure \$87,565.00 and insert the figure \$102,765.00 in lieu thereof.

In line 9 strike out the figure \$7,200.00 and insert the figure \$7,800.00 in lieu thereof.

In line 10 strike out the figure \$47,240.00 and insert the figure \$51,840.00 in lieu thereof.

In line 14 strike out the figure \$26,000.00 and insert the figure \$36,000.00 in lieu thereof.

In line 17 strike out the figure \$87,565.00 and insert the figure \$102,765.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 59, have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure \$14,625.00 and insert the figure \$15,625.00 in lieu thereof.

In line 12 strike out the figure \$3,000.00 and insert the figure \$4,000.00 in lieu thereof.

In line 15 strike out the figure \$14,625.00 and insert the figure \$15,625.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 81, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 91, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 169, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Labor Relations to whom was referred House Bill No. 211, have had the same under consideration and recommend that the same do pass.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 261, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 327, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Flatt moved that the amendments to House Bill No. 37 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 69 be adopted, which motion prevailed.

Senator Flatt moved that the amendments to House Bill No. 268 be adopted, which motion prevailed.

The President Pro Tem was called to the Chair.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 18, 1949

Mr. President: I have the honor to return:

Senate Bill No. 88

Senate Bill No. 106

Which the House has indefinitely postponed.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 18, 1949

Mr. President: I have the honor to transmit:

House Concurrent Resolution "W"

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 18, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 124.

GEORGE OLSON, Chief Clerk.

The Senate was on the thirteenth order of business.

Senator Morgan moved that House Bill No. 166 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 166

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Flatt	Page	Welander
Foss	Pyle	Wolf
Fraser	Reinke	Work
Freed	Rue	

Absent and not voting:

Krenz Nelson, McKenzie Torno

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 120

Which has been read.

Senator Duffy moved that House Bill No. 120 be amended as follows: In line 43 after the word "section" the following words be inserted: "or in proportion thereto." which motion was declared lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier

Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Absent and not voting:

Nelson, McKenzie

So the bill passed and the title was agreed to.

Senator Streibel moved that House Bill No. 97 be placed at the head of the calendar, which motion prevailed.

House Bill No. 97

Was read the second time.

Senator Nordhougen moved that stockholders or directors or any person having any personal interest in banks be allowed to vote on House Bill No. 97, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 9; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Lynch	Schrock
Bilden	Mehlhoff	Schoeder
Bjorlie	Morgan	Solberg
Blume	Nelson, Griggs-	Spiekermeier
Bridston	Steele	Streibel
Brunsdale	Nordhougen	Stucke
Coghlan	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Fraser	Pyle	Welander
Kamrath	Reinke	Wolf
Leno	Sandness	Work
Lichty		

Those voting in the negative were:

Brant	Foss	Rue
Braun	Freed	Shure
Day	Krenz	Strand

Absent and not voting:

Nelson, McKenzie

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Nordhougen 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.

Senator Brunsdale moved that the Senate do now recess until 1:00 P. M., February 19, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-SIXTH DAY AFTER RECESS
AND FORTY-SEVENTH DAY

Bismarck, February 19, 1949

The Senate convened at 1:00 p.m., pursuant to recess taken,
the President Pro Tem presiding.

MESSAGE FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

February 18, 1949

Members of the Senate
Thirty-First Legislative Assembly
Senate Chambers
Bismarck, North Dakota

Gentlemen:

Today I have approved Senate Bill Number 2.
This bill has been filed with the Secretary of State.

Sincerely yours,
FRED G. AANDAHL
Governor

SECOND READING OF HOUSE BILLS

House Bill No. 62
Which has been read.

ROLL CALL

The question being on the final passage of the bill,
the roll was called and there were ayes, 35; nays, 2; absent
and not voting, 12.

Those voting in the affirmative were:

Albers	Fraser	Reinke
Bilden	Kamrath	Rue
Bjorlie	Krenz	Schoeder
Blume	Leno	Shure
Brant	Lynch	Spiekermeier
Braun	Mehlhoff	Streibel
Bridston	Morgan	Stucke
Brunsdale	Nelson, McKenzie	Torno
Coghlan	Nelson, Griggs-	Troxel
Day	Steele	Tuff
Duffy	O'Brien	Wahlund
Feton	Page	Wolf

Those voting in the negative were:

Olson, Mountrail Solberg

Absent and not voting:

Flatt	Nordhougen	Schrock
Foss	Olson, Barnes	Strand
Freed	Pyle	Welander
Lichty	Sandness	Work

So the bill passed and the title was agreed to.

House Bill No. 64

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nelson, Griggs-	Stucke
Coghlan	Steele	Torno
Day	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Page	Wahlund
Fraser	Reinke	Wolf

Absent and not voting:

Flatt	Nordhougen	Strand
Foss	Olson, Barnes	Welander
Freed	Pyle	Work
Morgan	Schrock	

So the bill passed and the title was agreed to.

House Bill No. 68

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Kamrath	Reinke	Wolf

Absent and not voting:

Brant	Nordhougen	Strand
Flatt	Olson, Barnes	Welander
Foss	Pyle	Work
Freed	Schrock	

So the bill passed and the title was agreed to.

House Bill No. 71

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Albers	Krenz	Reinke
Bilden	Leno	Rue
Bjorlie	Lichty	Sandness
Blume	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Kamrath	Pyle	Wolf

Absent and not voting:

Brant	Nordhougen	Streibel
Flatt	Olson, Barnes	Welander
Foss	Schrock	Work
Freed	Strand	

So the bill passed and the title was agreed to.

House Bill No. 82

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Albers	Krenz	Reinke
Bilden	Leno	Rue
Bjorlie	Lichty	Sandness
Blume	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Kamrath	Pyle	Wolf

Absent and not voting:

Brant	Nordhougen	Streibel
Flatt	Olson, Barnes	Welander

Foss Schrock Work
 Freed Strand
 So the bill passed and the title was agreed to.
 House Bill No. 144
 Which has been read.

ROLL CALL

The question being on the final passage of the bill,
 the roll was called and there were ayes, 38; nays, 0; absent
 and not voting, 11.

Those voting in the affirmative were:

Albers	Leno	Rue
Bilden	Lichty	Sandness
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Braun	Morgan	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Fraser	Page	Wahlund
Kamrath	Pyle	Wolf
Krenz	Reinke	Work

Absent and not voting:

Brant	Freed	Strand
Coghlan	Nordhougen	Streibel
Flatt	Olson, Barnes	Welander
Foss	Schrock	

So the bill passed and the title was agreed to.
 House Bill No. 145
 Which has been read.

ROLL CALL

The question being on the final passage of the bill,
 the roll was called and there were ayes, 39; nays, 0; absent
 and not voting, 10.

Those voting in the affirmative were:

Albers	Lichty	Sandness
Bilden	Lynch	Schoeder
Bjorlie	Mehlhoff	Shure
Blume	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Streibel
Brunsdale	Steele	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Page	Tuff
Fraser	Pyle	Wahlund
Kamrath	Reinke	Wolf
Krenz	Rue	Work
Leno		

Absent and not voting:

Brant	Freed	Schrock
Coghlan	Nordhougen	Strand
Flatt	Olson, Barnes	Welander
Foss		

So the bill passed and the title was agreed to.
House Bill No. 146
Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schoeder
Bjorlie	Lynch	Shure
Blume	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nelson, Griggs-	Stucke
Coghlan	Steele	Torno
Day	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Page	Wahlund
Fraser	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Rue	

Absent and not voting:

Brant	Freed	Schrock
Flatt	Nordhougen	Strand
Foss	Olson, Barnes	Welandner

So the bill passed and the title was agreed to.

House Bill No. 147

Which has been read.

Senator O'Brien moved that House Bill No. 147 be amended as follows: At the end of the Bill add the following: "Section 2. This said fund is a special fund for building purposes and any unexpended balance therein shall not revert to the general fund of the County." which motion prevailed.

Senator O'Brien moved that the rules be suspended and that House Bill No. 147 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schoeder
Bjorlie	Lynch	Shure
Blume	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nelson, Griggs-	Stucke
Coghlan	Steele	Torno
Day	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Pyle	Wahlund
Fraser	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Absent and not voting:

Brant	Nordhougen	Schrock
Flatt	Olson, Barnes	Strand
Foss	Page	Welander
Freed		

So the bill passed and the title was agreed to.
House Bill No. 148
Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 2; absent and not voting, 11.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schoeder
Bjorlie	Lynch	Shure
Blume	Mehlhaff	Spiekermeier
Braun	Morgan	Streibel
Bridston	Nelson, McKenzie	Stucke
Brunsdale	Nelson, Griggs-	Torno
Coghlan	Steele	Troxel
Day	O'Brien	Tuff
Feton	Pyle	Wahlund
Fraser	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Those voting in the negative were:

Olson, Mountrail	Solberg
------------------	---------

Absent and not voting:

Brant	Freed	Schrock
Duffy	Nordhougen	Strand
Flatt	Olson, Barnes	Welander
Foss	Page	

So the bill passed and the title was agreed to.
House Bill No. 149
Was 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, 1; absent and not voting, 9.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schoeder
Bjorlie	Lichty	Shure
Blume	Lynch	Solberg
Braun	Mehlhaff	Spiekermeier
Bridston	Morgan	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Coghlan	Nelson, Griggs-	Torno
Day	Steele	Troxel
Duffy	O'Brien	Tuff
Feton	Pyle	Wahlund
Flatt	Reinke	Wolf
Fraser	Rue	Work
Kamrath		

Those voting in the negative were:

Olson, Mountrail

Absent and not voting:

Brant	Nordhougen	Schrock
Foss	Olson, Barnes	Strand
Freed	Page	Welander

So the bill passed and the title was agreed to.

House Bill No. 150

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Coghlan	Nelson, Griggs-	Torno
Day	Steele	Troxel
Duffy	O'Brien	Tuff
Feton	Olson, Mountrail	Wahlund
Flatt	Page	Wolf
Fraser	Pyle	Work
Kamrath	Reinke	

Those voting in the negative were:

Solberg

Absent and not voting:

Brant	Nordhougen	Strand
Foss	Olson, Barnes	Welander
Freed	Schrock	

So the bill passed and the title was agreed to.

House Bill No. 165

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 12; absent and not voting, 7.

Those voting in the affirmative were:

Albers	Krenz	Pyle
Blume	Lichty	Reinke
Braun	Lynch	Rue
Bridston	Mehlhoff	Sandness
Brunsdale	Morgan	Shure
Coghlan	Nelson, Griggs-	Spiekermeier
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	O'Brien	Wolf
Flatt	Page	Work
Fraser		

Those voting in the negative were:

Bilden	Nelson, McKenzie	Streibel
Bjorlie	Olson, Mountrail	Stucke
Kamrath	Schoeder	Tuff
Leno	Solberg	Wahlund

Absent and not voting:

Brant	Olson, Barnes	Strand
Foss	Schrock	Welander
Freed		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 167

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Albers	Krenz	Reinke
Bilden	Leno	Rue
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Braun	Mehlhoff	Spiekemeier
Bridston	Morgan	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Coghlan	Nordhougen	Torno
Day	O'Brien	Tuff
Feton	Olson, Mountrail	Wahlund
Flatt	Page	Wolf
Fraser	Pyle	Work
Kamrath		

Those voting in the negative were:

Duffy	Sandness	Troxel
Nelson, Griggs- Steele	Solberg	

Absent and not voting:

Brant	Olson, Barnes	Strand
Foss	Schrock	Welander
Freed		

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 19, 1949

Mr. President: I have the honor to request the return of Senate Bills Nos. 27, 96 and 124 for completion of our action.

GEORGE OLSON, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 19, 1949

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. 162, Senators: Feton, Schoeder and Mehlhoff.

W. J. TROUT, Secretary.

MOTIONS

Senator Brunsdale moved that Senate Bills Nos. 27, 96 and 124, be returned to the House as requested, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 19, 1949

Mr. Speaker: I have the honor to return:

Senate Bill No. 27

Senate Bill No. 96

Senate Bill No. 124

Which the House has requested.

W. J. TROUT, Secretary.

MOTIONS

Senator Brunsdale moved that the Journal be corrected to read on page 239, that the emergency clause was carried on House Bill No. 29, which motion prevailed.

Senator Bjorlie moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-SEVENTH DAY

Bismarck, February 19, 1949

The Senate convened at 2:00 p.m., the President Pro Tem presiding.

Prayer by the Chaplain, Rev. E. D. Murdock of Mandan.

Roll Call: All Senators present except Senators Bilden, Flatt, Foss, Freed, Olson of Barnes, Schrock, Strand and Welander.

A quorum was declared present by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-fifth day after recess and Forty-sixth day and find the same correct.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 19, 1949

Mr. Speaker: I have the honor to transmit:

House Bill No. 1

House Bill No. 23

House Bill No. 43

House Bill No. 90
 House Bill No. 92
 House Bill No. 97
 House Bill No. 119
 House Bill No. 120
 House Bill No. 166

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 19, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 35
 House Concurrent Resolution "O"

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 46, have had the same under consideration and recommend that the same be indefinitely postponed.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 85, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill in the 3rd line after the word "the" insert the words and comma "Emergency Fund," after the word "Pupil" strike out the balance of the line and at the beginning of the 4th line strike out the word "Tuition".

In line 4 after the word "the" insert the words and comma "Emergency Fund," and after the word "Pupil" strike out the balance of the line.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 105, have had the same under consideration and recommend that the same be amended as follows:

After line 21 insert the following:

22 Section 2. In the event the National Park Service
 22a shall
 23 so request, the State Historical Society and the Board of
 24 Administration are hereby authorized to turn over such
 24a cabin
 25 to the National Park Service for transfer to a suitable
 25a site
 26 within the State upon the agreement of the National
 26a Park
 27 Service to care for and maintain such cabin.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 187, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 190, have had the same under consideration and recommend that the same be amended as follows:

In line 77, after the word "for" strike out the word "two" and insert in lieu thereof the word "one".

And when so amended recommend the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 210, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 239, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 256, have had the same under consideration and recommend that the same be amended as follows:

On Page 2, Line 12 of the printed bill, strike out the word "and" and insert, in lieu thereof, the words "or which";

On Line 17, after the word "thereof" insert the following language: "or payable from assessments for improvements or revenues of publicly owned utilities therein";

On Line 95 of the printed bill, after the word "association" place a comma and insert the following language: "or savings and loan association or credit union";

On Line 96 of the printed bill, strike the semicolon after the word "state" and add the following language: "and securities of any corporation, firm or association, subject to examination by the state examiner;"

On Line 111, after the word "senior" insert the word "to".

Renumber the lines as required.

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "S", have had

the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Rue moved that the amendments to House Bill No. 26 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 56 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 58 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 59 be adopted, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "W." A Concurrent Resolution Memorializing the Congress of the United States to Enact H.R. 2369 Authorizing an Appropriation for the Completion of the International Peace Garden.

Was read for the first time and referred to the Committee on State and Federal Government.

SECOND READING OF HOUSE BILLS

House Bill No. 170

Which has been read.

ROLL CALL.

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 12; absent and not voting, 11.

Those voting in the affirmative were:

Bilden	Kamrath	Reinke
Braun	Krenz	Rue
Bridston	Lichty	Sandness
Brunsdale	Lynch	Shure
Coghlan	Nelson, Griggs-	Spiekermeier
Day	Steele	Torno
Duffy	O'Brien	Tuff
Feton	Page	Wolf
Flatt	Pyle	Work

Those voting in the negative were:

Bjorlie	Nelson, McKenzie	Streibel
Blume	Olson Mountrail	Stucke
Fraser	Schoeder	Troxel
Leno	Solberg	Wahlund

Absent and not voting:

Albers	Mehlhoff	Schrock
Brant	Morgan	Strand
Foss	Nordhougen	Welander
Freed	Olson, Barnes	

So the bill passed and the title was agreed to.

House Bill No. 178

Which has been read.

Senator Troxel moved that House Bill No. 178 be re-referred to the Committee on Agriculture, which motion prevailed.

House Bill No. 195

Which has been read.

Senator Stucke moved that further action on House Bill No. 195 be laid over until Monday, which motion prevailed.

House Bill No. 206

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 12; absent and not voting, 10.

Those voting in the affirmative were:

Blume	Kamrath	Sandness
Brant	Krenz	Shure
Braun	Lichty	Spiekermeier
Bridston	Lynch	Streibel
Brunsdale	O'Brien	Torno
Coghlan	Page	Troxel
Duffy	Pyle	Wahlund
Feton	Reinke	Wolf
Flatt	Rue	Work

Those voting in the negative were:

Albers	Nelson, McKenzie	Schoeder
Bilden	Nelson, Griggs-	Solberg
Bjorlie	Steele	Stucke
Fraser	Olson, Mountrail	Tuff
Leno		

Absent and not voting:

Day	Morgan	Schrock
Foss	Nordhougen	Strand
Freed	Olson, Barnes	Welanders
Mehlhoff		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 215

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 6; absent and not voting, 10.

Those voting in the affirmative were:

Albers	Fraser	Rue
Bilden	Kamrath	Sandness
Bjorlie	Krenz	Schoeder
Brant	Leno	Shure
Braun	Lichty	Spiekermeier
Bridston	Lynch	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Coghlan	O'Brien	Tuff
Duffy	Page	Wahlund
Feton	Pyle	Wolf
Flatt	Reinke	Work

Those voting in the negative were:

Blume	Olson Mountrail	Torno
Nelson, Griggs- Steele	Solberg	Troxel

Absent and not voting:

Day	Morgan	Schrock
Foss	Nordhougen	Strand
Freed	Olson, Barnes	Welander
Mehlhoff		

So the bill passed and the title was agreed to.

House Bill No. 266

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Bilden	Leno	Sandness
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs- Steele	Streibel
Brunsdale		Stucke
Coghlan	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Page	Tuff
Flatt	Pyle	Wahlund
Fraser	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Those voting in the negative were:

Albers

Absent and not voting:

Day	Morgan	Schrock
Foss	Nordhougen	Strand
Freed	Olson, Barnes	Welander

So the bill passed and the title was agreed to.

House Bill No. 269

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nelson, Griggs- Steele	Stucke
Coghlan		Torno

Day	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Page	Wahlund
Flatt	Pyle	Wolf
Fraser	Reinke	Work

Absent and not voting:

Foss	Nordhougen	Strand
Freed	Olson, Barnes	Welanders
Morgan	Schrock	

So the bill passed and the title was agreed to.

House Bill No. 270

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

Albers	Fraser	Reinke
Bilden	Kamrath	Rue
Bjorlie	Krenz	Sandness
Blume	Leno	Schoeder
Brant	Lichty	Shure
Braun	Lynch	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Troxel
Day	O'Brien	Tuff
Duffy	Olson, Mountrail	Wahlund
Feton	Page	Wolf
Flatt	Pyle	Work

Those voting in the negative were:

Mehlhoff Torno

Absent and not voting:

Foss	Nordhougen	Strand
Freed	Olson, Barnes	Stucke
Morgan	Schrock	Welanders

So the bill passed and the title was agreed to.

House Bill No. 274

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nelson, Griggs-	Torno
Coghlan	Steele	Troxel
Day	O'Brien	Tuff

Duffy	Olson, Mountrail	Wahlund
Feton	Page	Wolf
Flatt	Pyle	Work
Fraser	Reinke	

Absent and not voting:

Foss	Nordhougen	Strand
Freed	Olson, Barnes	Stucke
Morgan	Schrock	Welander

So the bill passed and the title was agreed to.

House Bill No. 275.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhaff	Spiekermeier
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nelson, Griggs-	Stucke
Coghlan	Steele	Torno
Day	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Page	Wahlund
Flatt	Pyle	Wolf
Fraser	Reinke	Work
Kamrath	Rue	

Those voting in the negative were:

Albers

Absent and not voting:

Foss	Nordhougen	Strand
Freed	Olson, Barnes	Welander
Morgan	Schrock	

So the bill passed and the title was agreed to.

House Concurrent Resolution "F"

Which has been read.

Senator Streibel moved that action on House Concurrent Resolution "F" be laid over until Monday, which motion prevailed.

House Concurrent Resolution "K"

Which has been read.

Senator Blume moved that House Concurrent Resolution "K" be adopted, which motion prevailed, and it was so ordered.

House Concurrent Resolution "N"

Which has been read.

Senator Rue moved that House Concurrent Resolution "N" be adopted, which motion prevailed, and it was so ordered.

House Bill No. 9

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Krenz	Schoeder
Bjorlie	Leno	Shure
Blume	Lichty	Solberg
Braun	Lynch	Spiekermeier
Bridston	Mehlhaff	Streibel
Brunsdale	Nelson, McKenzie	Stucke
Coghlan	O'Brien	Torno
Day	Page	Troxel
Duffy	Pyle	Wahlund
Feton	Reinke	Wolf
Flatt	Rue	Work
Fraser		

Those voting in the negative were:

Olson Mountrail Tuff

Absent and not voting:

Brant	Nelson, Griggs-	Schrock
Foss	Steele	Strand
Freed	Nordhougen	Welander
Morgan	Olson, Barnes	

So the bill passed and the title was agreed to.

House Bill No. 37

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Albers	Kamrath	Reinke
Bilden	Krenz	Rue
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhaff	Spiekermeier
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nelson, Griggs-	Torno
Coghlan	Steele	Troxel
Day	O'Brien	Tuff
Duffy	Olson Mountrail	Wahlund
Flatt	Page	Wolf
Fraser	Pyle	Work

Absent and not voting:

Feton	Nordhougen	Strand
Foss	Olson, Barnes	Stucke
Freed	Sandness	Welander
Morgan	Schrock	

So the bill passed and the title was agreed to.

The President Pro Tem called Senator Flatt to the Chair.

House Bill No. 69

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Bilden	Lynch	Schoeder
Blume	Mehlhoff	Shure
Braun	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Duffy	O'Brien	Torno
Flatt	Olson Mountrail	Troxel
Fraser	Page	Tuff
Kamrath	Pyle	Wahlund
Krenz	Rue	Wolf
Lichty	Sandness	Work

Absent and not voting:

Albers	Foss	Reinke
Bjorlie	Freed	Schrock
Brant	Leno	Strand
Bridston	Nordhougen	Welanders
Feton	Olson, Barnes	

So the bill passed and the title was agreed to.

House Bill No. 81

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Blume	Mehlhoff	Schoeder
Braun	Morgan	Shure
Bridston	Nelson, McKenzie	Solberg
Coghlan	Nelson, Griggs-	Spiekermeier
Day	Steele	Streibel
Duffy	O'Brien	Stucke
Flatt	Olson Mountrail	Torno
Fraser	Page	Troxel
Kamrath	Pyle	Tuff
Krenz	Reinke	Wahlund
Leno	Rue	Wolf
Lichty	Sandness	Work

Absent and not voting:

Albers	Feton	Olson, Barnes
Bilden	Foss	Schrock
Bjorlie	Freed	Strand
Brant	Lynch	Welanders
Brunsdale	Nordhougen	

So the bill passed and the title was agreed to.

House Bill No. 91

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Bilden	Lynch	Sandness
Blume	Mehlhoff	Schoeder
Braun	Morgan	Shure
Bridston	Nelson, McKenzie	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghan	Steele	Streibel
Duffy	O'Brien	Stucke
Flatt	Olson Mountrail	Torno
Fraser	Page	Troxel
Kamrath	Pyle	Tuff
Krenz	Reinke	Wahlund
Leno	Rue	Wolf
Lichty		

Absent and not voting:

Albers	Foss	Schrock
Bjorlie	Freed	Strand
Brant	Nordhougen	Welander
Day	Olson, Barnes	Work
Feton		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 169

Was read the second time.

Senator Streibel moved that House Bill No. 169 be laid over until Monday, which motion prevailed, and it was so ordered.

House Bill No. 211

Was read the second time.

Senator Morgan moved that House Bill No. 211 be laid over until Monday, which motion prevailed, and it was so ordered.

Senator Brunsdale moved that the Senate do now recess until 1:00 p.m., on February 21, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-SEVENTH DAY AFTER RECESS
AND FORTY-NINTH DAY

Bismarck, February 21, 1949

The Senate convened at 1:00 P. M., pursuant to recess taken.
The Senate was on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 6, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 32, have had the same under consideration and recommend that the same be amended as follows:

Beginning with and including line 63, strike out Subsections "A", "B" and "C" and insert in lieu thereof the following language:

"(A) Any individual or any widow, child, or parents of a deceased individual whose employment has been insufficient to establish benefit rights under this law and who is neither fully nor currently insured may upon request withdraw from the Fund the total of the employee's individual contributions paid to said Fund without interest.

(B) Request for refunds from the Fund may be made within thirty (30) days after the date of mailing or delivery of a final statement of wages paid to the employee and not thereafter."

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 178, have had the same under consideration and recommend that the same be indefinitely postponed.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted.

Senator Streibel made a substitute motion that House Bill No. 178 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on General Affairs to whom was referred House Bill No. 185, have had the same under consideration and recommend that the same be indefinitely postponed.

G. I. FETON, Chairman.

Senator Fetton moved that the report be adopted.

Senator Albers made a substitute motion that House Bill No. 185 be placed on the calendar, which motion was declared lost.

The question was on the motion of Senator Fetton that the committee report on House Bill No. 185 be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 214, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 237, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 238, have had the same under consideration and recommend that the same do pass.

WALTER TROXEL, Chairman.

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on General Affairs to whom was referred House Bill No. 319, have had the same under consideration and recommend that the same do pass.

G. I. FETON, Chairman.

Senator Fetton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 329, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

The Senate was on the eighth order of business.

Senator Brunsdale moved that the House be requested to return House Bill No. 43, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 21, 1949

Mr. Speaker: I have the honor to inform you that the Senate asks the return of House Bill No. 43 which was messaged to the House without amendments attached.

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 169

Senator Shure moved that House Bill No. 169 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 195

Which has been read.

Senator Streibel moved that House Bill No. 195 be referred to the Committee on State and Federal Government, which motion prevailed.

House Bill No. 211

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Kamrath	Shure
Bilden	Leno	Solberg
Bjorlie	Lichty	Spiekermeier
Blume	Lynch	Strand
Brant	Mehlhoff	Streibel
Braun	Nelson, McKenzie	Stucke
Bridston	Nelson, Griggs-	Torno
Brunsdale	Steele	Troxel
Duffy	Olson, Barnes	Tuff
Feton	Pyle	Wahlund
Foss	Sandness	Welander
Fraser	Schrock	Wolf
Freed	Schoeder	Work

Those voting in the negative were:

Coghlan	Morgan	Page
Flatt	O'Brien	Reinke
Krenz	Olson, Mountrail	

Absent and not voting:

Day	Nordhougen	Rue
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So the bill passed and the title was agreed to.

Senator Freed moved that the Senate be on the eighth order of business, which motion prevailed.

Senator Freed: Mr. President, one might think that my guest here knows everybody the way he has been shaking hands around here, but I want at this time to introduce my good friend the former Senator Raschko, from Stark County.

Mr. President: Thank you, Senator Freed. I think it is only fitting and proper at this time that we appoint a committee to escort the honorable Senator Raschko to the rostrum and I appoint as such committee, Senator Freed.

Ex-Senator Raschko was escorted to the rostrum by Senator Freed.

Mr. President: Now, Mr. Raschko, you have the floor and we will listen to you as long as you want to talk.

Mr. Raschko: Thank you, Mr. President. Mr. President and Honorable Senators, it is a pleasure indeed to be escorted up here to the rostrum of this dignified body. It feels good to come back here and see so many of the faces with whom I had the pleasure of serving in previous

sessions. I assure you that my call here is of a social nature and I might say to the Sergeant-at-arms that he can just relax because my presence here will not impose upon him any additional duties or work. You men here are performing a duty that in a lot of ways is a thankless one. The people probably will not thank you for the services you are rendering here. I know because I have served in this body. It is a blessing to know, that in every generation we have a handful of men and citizens who are willing to give of their time in the service of their country, and it must be a state of singular pleasure to each of you and a satisfaction to know that the services you are rendering here are important, that they are necessary in order to effect and perpetuate the form of Government we have in this country. A government that stands out as a beacon light to other countries to follow. As I said before, I am not here asking for any favors, nor am I here to advance any ideas on any legislation you might have pending before this body. Mine is purely a social one. Before I get through here, I know I am going to have the pleasure of shaking hands with all the new men here and with those with whom I served here. However before leaving I shall take this opportunity as a citizen of this state to thank you personally for the services you are rendering our state and its people.

Mr. President: Thank you Mr. Raschko.

Senator Morgan moved that Ex-Senator Raschko's remarks be printed in the Journal, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 21, 1949

Mr. President: I have the honor to return:

House Bill No. 43

Which the Senate has requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 21, 1949

Mr. President: I have the honor to return:

Senate Bill No. 149

Which the House has indefinitely postponed.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 21, 1949

Mr. President: I have the honor to transmit:

House Concurrent Resolution "X"

House Concurrent Resolution "Y"

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 21, 1949

Mr. President: I have the honor to return:

Senate Bill No. 41

Which the House has amended as follows:

In line 12, after the word "first" strike out the words "one hundred" and insert in lieu thereof the word "fifty".

In line 14, after the word "of" strike out the word "ten" and insert in lieu thereof the word "five".

In line 15, after the word "additional" strike out the words "one hundred" and insert in lieu thereof the word "fifty".

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 21, 1949

Mr. President: I have the honor to return:

Senate Bill No. 9
Senate Bill No. 10
Senate Bill No. 11
Senate Bill No. 12
Senate Bill No. 13
Senate Bill No. 16
Senate Bill No. 19
Senate Bill No. 20
Senate Bill No. 22
Senate Bill No. 23
Senate Bill No. 86

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 261

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Kamrath	Reinke
Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Torno
Day	Steele	Troxel
Duffy	O'Brien	Tuff
Feton	Olson, Mountrail	Wahlund
Flatt	Olson, Barnes	Weland
Foss	Page	Wolf
Fraser	Pyle	Work
Freed		

Absent and not voting:

Nordhougen	Streibel	Stucke
Rue		

So the bill passed and the title was agreed to.

Senator Bjorlie moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-NINTH DAY

Bismarck, February 21, 1949

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. E. D. Murdock of Mandan.

Roll Call: All Senators present.

A quorum was declared present by the President.

REPORTS OF STANDING COMMITTEES

Mr. President: 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 recommend that the same be corrected as follows:

Page 539, line 8, after the comma after the word "bill" insert the word "the".

Page 545, line 40, strike out the word "owner" and insert in lieu thereof the word "owned".

Page 545, line 43, strike the letter "s" from the word "association".

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 133, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 134, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 135, have had the same under consideration and recommend that the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 273, have had the same under consideration and recommend that the same be amended as follows:

On Line 77, strike out everything after the word "to", and on Line 78, strike out the words "than five thousand dollars", and insert, in lieu thereof, the words "issue and sell its investment trust certificates";

On Line 80, strike out the word "deposits" and insert, in lieu thereof, the words "investment trust certificates".

On Line 15, after the word "than" strike the word "Fifty" and insert in lieu thereof, the words "Twenty-five".

And when so amended recommend the same do pass.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 21, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 62

House Bill No. 150

House Bill No. 275

House Bill No. 64

House Bill No. 165

House Bill No. 9

House Bill No. 68

House Bill No. 167

House Bill No. 81

House Bill No. 71

House Bill No. 170

House Bill No. 91

House Bill No. 82

House Bill No. 206

House Bill No. 144

House Bill No. 215

House Bill No. 145

House Bill No. 266

House Bill No. 146

House Bill No. 269

House Bill No. 148

House Bill No. 270

House Bill No. 149

House Bill No. 274

House Concurrent Resolution "K"

House Concurrent Resolution "N"

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 21, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 46

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 21, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 37

House Bill No. 69

House Bill No. 147

Which the Senate has amended.

W. J. TROUT, Secretary.

CONSIDERATION OF AMENDMENTS

Senator Morgan moved that the amendments to House Bill No. 85 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 105 be adopted, which motion prevailed.

Senator Troxel moved that the amendments to House Bill No. 190 be adopted, which motion prevailed.

Senator Rue moved that the amendments to House Bill No. 256 be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Streibel moved that the Senate do concur in the House amendments to Senate Bill No. 41, which motion prevailed.

Senator Streibel moved that the rules be suspended and that Senate Bill No. 41, be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 41

Which has been read. \

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekemeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welder
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Absent and not voting:

Nordhougen

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 21, 1949

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 41.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 21, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 43
Which the Senate has amended.

W. J. TROUT, Secretary.

FIRST READING OF HOUSE CONCURRENT
RESOLUTIONS

House Concurrent Resolution "Y". A House Concurrent Resolution Memorializing Congress and the President of the United States Not to Support Any Proposition Disturbing the Rural Electrification Administration as it is Presently Set Up and Not to Disturb the Existing Power Agencies or the Government's Power Policy to the Detriment of the People.

Was read for the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution "X." A Concurrent Resolution Declaring the Policy of the State of North Dakota in Regard to Promoting the Growth and Development of the State.

Was read for the first time and referred to the Committee on State and Federal Government.

SECOND READING OF SENATE BILL

House Bill No. 268
Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhogen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welanders
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Shure

So the bill passed and the title was agreed to.

House Bill No. 327

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Tornø
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

So the bill passed and the title was agreed to.

House Concurrent Resolution "F"

Was read the second time.

Senator Braun moved that further action on House Concurrent Resolution "F" be indefinitely postponed, which motion was declared lost.

ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 25; nays, 24; absent and not voting, 0.

Those voting in the affirmative were:

Albers	Nelson, McKenzie	Spiekermeier
Bilden	Nordhougen	Streibel
Bjorlie	O'Brien	Stucke
Blume	Olson, Mountrail	Troxel
Fraser	Sandness	Tuff
Kamrath	Schrock	Wahlund
Leno	Schoeder	Welander
Lichty	Solberg	Wolf
Lynch		

Those voting in the negative were:

Brant	Foss	Page
Braun	Freed	Pyle
Bridston	Krenz	Reinke
Brunsdale	Mehlhoff	Rue
Coghlan	Morgan	Shure
Day	Nelson, Griggs-	Strand
Duffy	Steele	Tornø
Feton	Olson, Barnes	Work
Flatt		

So the resolution passed and the title was agreed to.

Senator Strëibel moved that the vote by which House Concurrent Resolution "F" was passed be reconsidered and the motion to reconsider be laid on the table, which motion was declared lost.

Senator Brunsdale moved that the Senate do now recess until 1:00 p.m., February 22, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FORTY-NINTH DAY AFTER RECESS
AND FIFTIETH DAY

Bismarck, February 22, 1949

The Senate convened at 1:00 P. M., pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 22, 1949

Mr. President: I have the honor to return:

Senate Bill No. 4
Senate Bill No. 33
Senate Bill No. 34
Senate Bill No. 45
Senate Bill No. 91
Senate Bill No. 102
Senate Bill No. 109
Senate Bill No. 123
Senate Bill No. 124
Senate Bill No. 128
Senate Concurrent Resolution "G"

Which the House has indefinitely postponed.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 22, 1949

Mr. President: I have the honor to return:

Senate Bill No. 14
Senate Bill No. 47
Senate Bill No. 100
Senate Bill No. 108
Senate Bill No. 121
Senate Bill No. 122
Senate Bill No. 138
Senate Bill No. 147
Senate Bill No. 148
Senate Bill No. 156
Senate Bill No. 171
Senate Bill No. 178
Senate Bill No. 179

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 22, 1949

Mr. President: I have the honor to return:

Senate Bill No. 27

Which the House has amended.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 22, 1949

Mr. President: I have the honor to transmit:

House Bill No. 1

House Bill No. 23

House Bill No. 90

House Bill No. 92

House Bill No. 97

House Bill No. 119

House Bill No. 120

House Bill No. 166

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 26

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Leno	Schrock
Bjorlie	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nordhousen	Stucke
Coghlan	O'Brien	Tuff
Feton	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Those voting in the negative were:

Bilden	Nelson, Griggs-	Solberg
Blume	Steele	Strand
Day	Olson Mountrail	Torno
Duffy	Sandness	Troxel
Krenz		

Absent and not voting:

Flatt Mehlhaff

So the bill passed and the title was agreed to.

House Bill No. 56

Was read the second time.

Senator Duffy moved that House Bill No. 56 be amended as follows: At the end of the act as it now is, add the following words:

So the bill passed and the title was agreed to.

House Bill No. 59

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Bjorlie	Lynch	Shure
Blume	Morgan	Solberg
Brant	Nelson, McKenzie	Spiekermeier
Braun	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz	Sandness	

Absent and not voting:

Bridston	Flatt	Mehlhaff
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So the bill passed and the title was agreed to.

House Bill No. 187

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Morgan	Shure
Brant	Nelson, McKenzie	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Absent and not voting:

Bridston	Mehlhaff	Strand
Flatt		

So the bill passed and the title was agreed to.

House Bill No. 210

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Stucke
Coghlan	Nordhougen	Torno
Day	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser,	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Those voting in the negative were:

Streibel

Absent and not voting:

Flatt Mehlhaff

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 239

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhaff	Shure
Braun	Morgan	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Day	Steele	Streibel
Duffy	Nordhougen	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	

Those voting in the negative were:

Coghlan Tuff

Absent and not voting:

Work

So the bill passed and the title was agreed to.

House Concurrent Resolution "S"

Was read the second time.

Senator Troxel moved that the rules be suspended and that House Concurrent Resolution "S" be placed on second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson Mountrail	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work

Those voting in the negative were:

Tuff

Absent and not voting:

Morgan

So the resolution passed and the title was agreed to.

House Bill No. 169

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 22; absent and not voting, 1.

Those voting in the affirmative were:

Brant	Foss	Pyle
Braun	Freed	Reinke
Bridston	Krenz	Rue
Brunsdale	Lichty	Sandness
Coghlan	Mehlhoff	Schoeder
Day	Nelson, Griggs-	Shure
Duffy	Steele	Spiekermeier
Feton	O'Brien	Torno
Flatt	Olson, Barnes	Work

Those voting in the negative were:

Albers	Nelson, McKenzie	Streibel
Bilden	Nordhougen	Stucke
Bjorlie	Olson, Mountrail	Troxel

Blume	Page	Tuff
Fraser	Schrock	Wahlund
Kamrath	Solberg	Welander
Leno	Strand	Wolf
Lynch		

Absent and not voting:

Morgan

So the bill passed and the title was agreed to.

MOTIONS

Senator Day moved that the House be requested to return House Bill No. 277, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 22, 1949

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 277.

W. J. TROUT, Secretary.

MOTIONS

Senator Page moved that the Senate reconsider the action whereby House Bill No. 185 was indefinitely postponed, which motion was declared lost.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FIFTIETH DAY

Bismarck, February 22, 1949

The Senate convened at 2:00 P. M., the President presiding.
Prayer by the Chaplain, Rev. Hewitt of Bismarck.

Roll call: All Senators present.

A quorum was declared present by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-seventh day after recess and Forty-ninth day and find the same correct.

And recommend that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 22, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 211

House Bill No. 261

House Bill No. 327

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 22, 1949

Mr. Speaker: I have the honor to return:
House Bill No. 268
Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 22, 1949

Mr. Speaker: I have the honor to return:
House Bill No. 185
Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 22, 1949

Mr. President: I have the honor to return:
House Bill No. 277
Which the Senate has requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 22, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 37, 69, 147 and 43.

GEORGE OLSON, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 9
Senate Bill No. 10
Senate Bill No. 11
Senate Bill No. 12
Senate Bill No. 13
Senate Bill No. 16
Senate Bill No. 19
Senate Bill No. 20
Senate Bill No. 22
Senate Bill No. 23
Senate Bill No. 41
Senate Bill No. 86

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 2, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 10, have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

Senator Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 51, have had the same under consideration and recommend that the same be indefinitely postponed.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 52, have had the same under consideration and recommend that the same be indefinitely postponed.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 77, have had the same under consideration and recommend that the same be amended as follows:

In line 9 strike out the figure \$85,000.00 and insert the figure \$82,600.00 in lieu thereof.

After line 22 insert the following two lines and renumber the remaining line:

23	Transfer to General Fund for Assistant	
24	Attorney General's Salary	\$2,400.00

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 78, have had the same under consideration and recommend that the same be amended as follows:

In line 8 strike out the figure \$22,940.00 and insert the figure \$21,260.00 in lieu thereof.

After line 15 insert the following two lines and renumber the remaining line:

16	Transfer to General Fund for Assistant	
17	Attorney General's Salary	\$1,680.00

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 79, have had the same under consideration and recommend that the same be amended as follows:

In line 8 strike out the figure \$9,600.00 and insert the figure \$7,920.00 in lieu thereof.

After line 14 insert the following two lines and renumber the remaining line:

- 15 Transfer to General Fund for Assistant
 16 Attorney General's Salary\$1,680.00

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 84, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 109, have had the same under consideration and recommend that the same be amended as follows:

In Line 6, strike out the word "ten" and insert the words "seven and one-half".

And when so amended recommend the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 121, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 127, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 137, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 138, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 139, have

had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 140, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 168, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 182, have had the same under consideration and recommend that the same be amended as follows:

At the end of line 12, add the following language:

"Provided, however, that such contracts, agreements or arrangements shall in no way impair the rights, powers, duties or authority of local school districts and school boards in the management and control of their local schools."

Renumber the lines.

And when so amended recommend the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

The President called the President Pro Tem to the Chair.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 191, have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

Senator Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 194, have had the same under consideration and recommend that the same be amended as follows:

In Section 1 of the engrossed bill strike out everything after the first parenthesis and insert in lieu thereof the following language:

"The funds so received, as in said Public Law 526 set forth, by any county in this state, the treasurer of the state of North Dakota shall pay over to the county or counties entitled thereto any sums so received by him as in said public law set forth. One half of such funds shall be paid to the school districts in the area of the county or counties where lands have been acquired by the United States, and one half shall be expended by such county or counties for road purposes as the county commissioners may determine."

Renumber the lines.

And when so amended, recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Veterans' Affairs to whom was referred House Bill No. 217, have had the same under consideration and recommend that the same do pass.

REINHART KRENZ, Chairman.

Senator Krenz moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Veterans' Affairs to whom was referred House Bill No. 218, have had the same under consideration and recommend that the same do pass.

REINHART KRENZ, Chairman.

Senator Krenz moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 228, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Veterans' Affairs to whom was referred House Bill No. 231, have had the same under consideration and recommend that the same do pass.

REINHART KRENZ, Chairman.

Senator Krenz moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Veterans' Affairs to whom was referred House Bill No. 242, have had the same under consideration and recommend that the same do pass.

REINHART KRENZ, Chairman.

Senator Krenz moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 245, have had the same under consideration and recommend that the same do pass.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 247, have had the same under consideration and recommend that the same be amended as follows:

On line 174, strike out the word "prior" and all of line 175 and insert in lieu thereof the following language:

"during the existence of this act."

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Veterans' Affairs to

whom was referred House Bill No. 248, have had the same under consideration and recommend that the same do pass.

REINHART KRENZ, Chairman.

Senator Krenz moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 249, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 262, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 265, have had the same under consideration and recommend that the same do pass.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 287, have had the same under consideration and recommend that the same be amended as follows:

On Line 11, strike out the word "such" and insert, in lieu thereof, the words "the right of a";

On Line 12, strike out the words "from providing" and insert, in lieu thereof, the words "to provide";

Renumber the lines, if necessary.

And when so amended recommend the same do pass.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 294, have had the same under consideration and recommend that the same be indefinitely postponed.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 307, have had the same under consideration and recommend that the same do pass.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 334, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 387, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 338, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 339, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 340, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 342, have had the same under consideration and recommend that the same be amended as follows:

On Line 22, after the word "patrol" insert the following language: "or cars used principally in institutional, juvenile, parole and placement service";

Renumber the lines, if necessary.

And when so amended, recommend the same do pass.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 347, have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

Senator Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brunsdale moved that the Senate do now recess to take part in the Memorial program in joint session with the House and return here after the program is over, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

The Senate was on the fifth order of business.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred House Concurrent Resolution "J", have had the same under consideration and recommend that the same be indefinitely postponed.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted.

Senator Lichty made a substitute motion that House Concurrent Resolution "J" be placed on the calendar, which motion was declared lost.

The question was on the motion of Senator Sandness that the Committee report on House Concurrent Resolution "J" be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "L", have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "P", have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "Q", have had the same under consideration and recommend that the same be amended as follows:

At the end of the Resolution add the following language:

"Be it further resolved that copies of this resolution be sent to the members of the North Dakota Industrial Commission and the manager of the Bank of North Dakota by the Secretary of State."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS

Senator Schrock moved that the Senate Memorial Resolutions read in the joint session this afternoon be adopted by this Senate and printed in the Journal which Resolutions were adopted by a standing vote.

SENATE JOINT MEMORIAL RESOLUTION "A"

Introduced by Senate Memorial Resolution Committee

A memorial resolution for deceased members of the Senate of the state of North Dakota.

- 1 WHEREAS, since the adjournment of the thirtieth
- 2 legislative assembly, God in His wisdom has seen fit to
- 3 summon to eternal rest his servants and our former
- 4 colleagues:

5 Walter R. Bond, who served in the thirteenth and
6 fourteenth legislative assemblies, the seventeenth to
7 the twenty-second legislative assemblies, inclusive, and
8 the twenty-seventh to the thirtieth legislative assemblies,
9 inclusive, from the 29th district, died July 16, 1947,

10 H. A. Bronson, who served in the thirteenth and four-
11 teenth legislative assemblies, from the 7th district,
12 and subsequently on the Supreme Court of the state of
13 North Dakota, died April 22, 1947,

14 Maynard Crane, who served in the eight to the eleventh
15 legislative assemblies, inclusive, died April 2, 1947,

16 Clarence Ernest Davidson, who served in the thirteenth
17 legislative assembly, from the 40th district, died
18 March 22, 1947,

19 Herman Charles Guenther, who served in the twenty-
19a fifth

20 to the twenty-eight legislative assemblies, inclusive,
21 from the 19th district, died January 17, 1948,

22 L. B. Hanna, who served in the fifth and sixth
23 legislative assemblies, from the 11th district, in the
24 ninth and tenth legislative assemblies, from the 9th
25 district, and subsequently in the Congress of the United
26 States and as Governor of North Dakota, died April 23,
27 1948,

28 Russell G. McCrory, who served in the nineteenth to
29 the twenty-second legislative assemblies, inclusive, from
30 the 13th district, died December 23, 1948,

31 Charles H. Noltimier, who served in the sixteenth
32 and seventeenth legislative assemblies, from the 38th
33 district, died December 25, 1948.

34 Girdell Patterson, who served in the nineteenth to the
35 twenty-second legislative assemblies, inclusive, from the
36 43rd district, died June 3, 1948,

37 Frank E. Ployhar, who served in the fifteenth to the
38 twenty-second legislative assemblies, inclusive, from
39 the 15th district, died April 20, 1948, and

40 WHEREAS, today, we as members of the Senate of the
41 thirty-first legislative assembly of the state of North
42 Dakota, pause to mourn the passing of our former
43 colleagues and to honor their memories, and

44 WHEREAS, these men rendered outstanding service to
45 the people of this state by their contribution to their
46 fellow men and their communities,

47 NOW, THEREFORE, BE IT RESOLVED, by the
47a Senate of

48 the thirty-first legislative assembly of the state of
49 North Dakota, that we express our keen sorrow on their
50 passing and our appreciation, on behalf of the people
51 of North Dakota, of the loyal and devoted service of
52 these, our former colleagues,

53 BE IT FURTHER RESOLVED, that for the
53a perpetuation

54 of their memory, this token of respect and sympathy by
55 their successors in trust be printed in the Journal of
56 the Senate and that duly enrolled copies of this
57 resolution be presented by the Secretary of State to
58 the surviving families of these deceased senators.

SENATE JOINT MEMORIAL RESOLUTION "B"

Introduced by Senate Memorial Resolutions Committee.

A Joint Memorial Resolution in Honor of Former Governors L. B. Hanna, George Shafer and Thomas H. Moodie.

1 Since the adjournment of the thirtieth legislative
 2 assembly, three of North Dakota's most honored citizens,
 3 former Governors L. B. Hanna, George Shafer and
 3a Thomas
 4 H. Moodie, have laid down their labors on this earth
 5 and passed to eternal rest.
 6 L. B. Hanna was born at New Brighton, Pennsylvania
 7 in 1861, was educated in the states of Ohio, Massa-
 8 chusetts and New York, and came to North Dakota in
 8a 1881.
 9 He was a member of the House of Representatives of the
 10 North Dakota legislative assembly in 1895 to 1897 and
 11 1899 to 1901, and from 1905 to 1907 he was a member of
 12 the North Dakota Senate. In 1908 he was elected to the
 13 United States Congress and was reelected in 1910.
 14 Mr. Hanna was elected governor of North Dakota in 1912
 15 and 1914. He died April 23, 1948.
 16 George Shafer, was born at Mandan, North Dakota in
 17 1888. He was educated in the public schools of North
 18 Dakota and graduated from the law school of the
 18a University
 19 of North Dakota. He served as states attorney of
 20 McKenzie County and in 1922 he was elected attorney
 21 general and reelected in 1924 and 1926. In 1928 he
 22 was elected governor and in 1930 he was reelected. He
 23 died August 13, 1948.
 24 Thomas H. Moodie, was born in 1878 at Winona, Minne-
 25 sota. He had a long career as a newspaper man. In 1934
 26 he was elected governor of North Dakota. He was W.P.A.
 27 administrator in North Dakota during the entire period
 28 of such agency. He died March 4, 1948.
 29 The passing of these honored men is a loss to the state
 30 and a cause for personal grief to all citizens.
 31 NOW, THEREFORE, BE IT RESOLVED, by the
 31a Senate of the
 32 state of North Dakota, the House of Representatives
 33 concurring therein, that we express our heartfelt
 34 appreciation of the years of public service to the state
 35 of North Dakota by these distinguished citizens and that
 36 at this time we pause in our deliberations to pay tribute
 37 to their honored memory.
 38 BE IT FURTHER RESOLVED, that this resolution be
 39 entered in the Journal of the House and of the Senate of
 40 this legislative assembly as a memorial and that properly
 41 executed copies be transmitted by the Secretary of State
 42 to the surviving families.

MOTIONS

Senator Day moved that the Senate reconsider the action by which House Bill No. 277 was indefinitely postponed, which motion prevailed.

Senator Day moved that House Bill No. 277 be re-referred to the Committee on Social Welfare, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Brant moved that the amendments to House Bill No. 32 be adopted, which motion prevailed.

Senator Rue moved that the amendments to House Bill No. 273 be adopted, which motion prevailed.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 162, have had the same under consideration and recommend that the House concur in the Senate Amendment and further recommend that the title be amended as follows: After the word "hospital" in line 6, strike out the period and insert the following: "providing for an election to be held; also providing for special fund derived from such tax levy and disbursements thereof, providing for donations to said hospital or community association, and providing for the disposition of said county or community hospital and limiting the number of hospitals or community associations in each county provided for in this Act."

For the Senate:

G. I. FETON
LAVERN SCHOEDER
W. H. MEHLHAFF

For the House:

J. N. MOLLET
CORNELIUS BYMERS
F. M. EINARSON

Senator Feton moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Feton moved that the rules be suspended and that House Bill No. 162 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the Conference Committee, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 162

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by Conference Committee, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Torno
Duffy	O'Brien	Troxel
Feton	Olson Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Bilden Streibel Stucke
 Nordhougen

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Shure moved that the Senate do concur in the House amendments to Senate Bill No. 27, which motion prevailed.

Senator Shure moved that the rules be suspended and that Senate Bill No. 27 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 27

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Duffy	Steele	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Those voting in the negative were:

Day Olson Mountrail Tuff

Absent and not voting:

Bilden Nordhougen Stucke

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGES TO THE HOUSE

Senate Chamber
 Bismarck, February 22, 1949

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 27.

W. J. TROUT, Secretary.

Senate Chamber
 Bismarck, February 22, 1949

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee Report on House Bill No. 162.

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 6

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 11; absent and not voting, 4.

Those voting in the affirmative were:

Blume	Leno	Reinke
Brant	Lichty	Rue
Braun	Lynch	Schoeder
Bridston	Mehlhoff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nelson, Griggs-	Troxel
Feton	Steele	Wahlund
Flatt	Olson Mountrail	Welander
Foss	Olson, Barnes	Wolf
Fraser	Page	Work
Krenz	Pyle	

Those voting in the negative were:

Albers	O'Brien	Solberg
Duffy	Sandness	Torno
Freed	Schrock	Tuff
Kamrath	Shure	

Absent and not voting:

Bilden	Nordhougen	Stucke
Bjorlie		

So the bill passed and the title was agreed to.

House Bill No. 85

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Duffy	O'Brien	Troxel
Feton	Olson Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Absent and not voting:

Bilden	Nordhougen	Stucke
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 105

Was read the second time.

Senator Morgan moved that House Bill No. 105 be amended as follows: Strike out line one and all other material down to and including line eleven and renumber the lines accordingly, which motion prevailed.

Senator Morgan moved that the rules be suspended and that House Bill No. 105 be deemed properly re-engrossed and placed upon second reading and final action, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Bridston	Mehlhaff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Sandness	Work
Kamrath		

Those voting in the negative were:

Braun	O'Brien	Rue
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Absent and not voting:

Bilden	Olson Mountrail	Stucke
Nordhougen		

So the bill passed and the title was agreed to.

House Bill No. 133

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 17; nays, 29; absent and not voting, 3.

Those voting in the affirmative were:

Brant	Flatt	Rue
Braun	Freed	Schrock
Bridston	Krenz	Shure
Brunsdale	Morgan	Strand
Coghlan	Olson, Barnes	Work
Feton	Page	

Those voting in the negative were:

Albers	Lynch	Schoeder
Bjorlie	Mehlhaff	Solberg

Blume	Nelson, McKenzie	Spiekermeier
Day	Nelson, Griggs-	Streibel
Duffy	Steele	Torno
Foss	O'Brien	Troxel
Fraser	Olson Mountrail	Tuff
Kamrath	Pyle	Wahlund
Leno	Reinke	Welander
Lichty	Sandness	Wolf

Absent and not voting:

Bilden	Nordhougen	Stucke
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So the bill was declared lost for lack of a constitutional majority.

Senator Foss changed his vote from aye to nay for the purpose of reconsideration.

House Bill No. 134

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 25; nays, 20; absent and not voting, 4.

Those voting in the affirmative were:

Brant	Freed	Sandness
Braun	Krenz	Schrock
Bridston	Mehlhaff	Shure
Brunsdale	Morgan	Strand
Coghlan	Olson, Barnes	Torno
Day	Page	Troxel
Feton	Pyle	Welander
Flatt	Rue	Work
Foss		

Those voting in the negative were:

Albers	Lynch	Schoeder
Bjorlie	Nelson, McKenzie	Solberg
Blume	Nelson, Griggs-	Spiekermeier
Fraser	Steele	Streibel
Kamrath	O'Brien	Tuff
Leno	Olson Mountrail	Wahlund
Lichty	Reinke	Wolf

Absent and not voting:

Bilden	Nordhougen	Stucke
Duffy		

So the bill passed and the title was agreed to, but the emergency clause was declared lost.

House Bill No. 135

Was 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, 23; absent and not voting, 4.

Those voting in the affirmative were:

Bjorlie	Flatt	Page
Brant	Freed	Pyle
Braun	Kamrath	Rue
Bridston	Krenz	Sandness
Brunsdale	Mehlhaff	Shure

Coghlan	Morgan	Troxel
Day	Olson, Barnes	Work
Feton		

Those voting in the negative were:

Albers	Nelson, McKenzie	Solberg
Blume	Nelson, Griggs-	Spiekemeier
Duffy	Steele	Streibel
Foss	O'Brien	Torno
Fraser	Olson, Mountrail	Tuff
Leno	Reinke	Wahlund
Lichty	Schrock	Welanders
Lynch	Schoeder	Wolf

Absent and not voting:

Bilden	Strand	Stucke
Nordhougen		

So the bill was declared lost for lack of a constitutional majority.

Senator Foss changed his vote from aye to nay for the purpose of reconsideration.

House Bill No. 178

Which has been read.

Senator Wahlund moved that House Bill No. 178 be referred to the Committee on Agriculture, which motion was declared lost.

Senator Flatt moved that House Bill No. 178, be indefinitely postponed, which motion prevailed.

Senator Brunsdale moved that the Senate recess until 1:00 p.m., February 23, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FIFTIETH DAY AFTER RECESS
AND FIFTY-FIRST DAY

Bismarck, February 23, 1949

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 236, have had the same under consideration and recommend that the same do pass.

Wm. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 304, have had the same under consideration and recommend that the same be indefinitely postponed.

Wm. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution "T", have had the same under consideration and recommend that the same do pass.

Wm. J. BRAUN, Chairman.

Senator Braun moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 23, 1949

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on House Bill No. 162.

GEORGE OLSON, Chief Clerk.

House Chamber

Bismarck, February 23, 1949

Mr. President: I have the honor to return:

Senate Bill No. 53
Senate Bill No. 54
Senate Bill No. 155
Senate Bill No. 162

Senate Bill No. 163
 Senate Bill No. 196
 Senate Bill No. 197
 Senate Bill No. 200
 Senate Bill No. 210
 Senate Bill No. 135
 Senate Bill No. 136
 Senate Bill No. 140
 Senate Bill No. 181
 Senate Bill No. 215
 Senate Concurrent Resolution "B"

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, February 23, 1949

Mr. President: I have the honor to return:

Senate Bill No. 64

Which the House has amended as follows:

In line 3 of the engrossed bill strike out the figures "\$29,052.75" and insert the figures "\$10,844.00"

In line 10 strike out the figures "\$38,513.18" and insert "\$33,961.00"

In line 14 strike out the figures "\$2,500.00" and insert "\$23,708.75"

In line 15 insert a "comma" after the word "equipment" and strike out the word "at" and insert as line 15a the following:

"Improvements and equipment, and Insurance, at"

Add line 19a as follows "Salary Commandant.....7,200.00"

In line 20 strike out the figures "\$15,000.00" and insert "10,800.00"

In line 35 strike out the total "156,552.75" and insert "159,552.75"

In line 37 strike out the figures "\$31,552.75" and insert "\$34,552.75"

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, February 23, 1949

Mr. President: I have the honor to return:

Senate Bill No. 125

Senate Bill No. 189

Senate Bill No. 225

Which the House has indefinitely postponed.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, February 23, 1949

Mr. President: I have the honor to return:

Senate Bill No. 71

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 190

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Mehlhaff	Shure
Brant	Nelson, McKenzie	Solberg
Braun	Nelson, Griggs-	Strand
Bridston	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Those voting in the negative were:

Brunsdale Spiekermeier

Absent and not voting:

Flatt	Morgan	Troxel
Lynch	Page	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 214

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Mehlhaff	Shure
Brant	Nelson, McKenzie	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Bridston	Lynch	Streibel
Flatt	Morgan	

So the bill passed and the title was agreed to.

House Bill No. 237

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness
Bjorlie	Lichty	Schrock
Blume	Leno	Shure
Brant	Mehlhoff	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Stucke
Coghlan	Nordhougen	Torno
Day	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work

Those voting in the negative were:

Schoeder

Absent and not voting:

Flatt	Morgan	Streibel
Lynch		

So the bill passed and the title was agreed to.

House Bill No. 238

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Braun	Lynch	Shure
Bridston	Mehlhoff	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Stucke
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Those voting in the negative were:

Albers

Absent and not voting:

Brant	Page	Streibel
Morgan		

So the bill passed and the title was agreed to.

House Bill No. 256

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Schrock
Bilden	Leno	Schoeder
Bjorlie	Lichty	Shure
Blume	Lynch	Solberg
Brant	Mehlhoff	Spiekermeier
Braun	Nelson, McKenzie	Strand
Bridston	Nordhougen	Streibel
Brunsdale	O'Brien	Stucke
Coghlan	Olson, Mountrail	Torno
Duffy	Olson, Barnes	Troxel
Feton	Page	Tuff
Flatt	Pyle	Wahlund
Foss	Reinke	Welder
Fraser	Rue	Wolf
Freed	Sandness	Work

Those voting in the negative were:

Krenz	Nelson, Griggs- Steele
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Absent and not voting:

Day	Morgan
-----	--------

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

The Senate was on the eighth order of business.

Senator Foss moved that the vote by which House Bill No. 133 was lost be reconsidered, which motion prevailed.

Senator Foss moved that House Bill No. 133 be placed on the calendar, which motion prevailed.

Senator Foss moved that the vote by which House Bill No. 135 was lost be reconsidered, which motion prevailed.

Senator Foss moved that House Bill No. 135 be placed on the calendar, which motion prevailed.

The President Pro Tem was called to the Chair.

House Bill No. 133

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 21; absent and not voting, 2.

Those voting in the affirmative were:

Bjorlie	Feton	Rue
Blume	Flatt	Sandness
Brant	Foss	Shure
Braun	Freed	Strand
Bridston	Krenz	Stucke
Brunsdale	Mehlhoff	Torno
Coghlan	Olson, Barnes	Troxel
Day	Page	Work
Duffy	Pyle	

Those voting in the negative were:

Albers	Nelson, Griggs-	Schoeder
Bilden	Steele	Spiekermeier
Fraser	Nordhougen	Streibel
Kamrath	O'Brien	Tuff
Leno	Olson, Mountrail	Wahlund
Lichty	Reinke	Weland
Lynch	Schrock	Wolf
Nelson	McKenzie	

Absent and not voting:

Morgan	Solberg
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So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-FIRST DAY

Bismarck, February 23, 1949

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain Rev. G. A. Johns of Bismarck.

Roll Call: All Senators present.

A quorum was declared present by the President.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-ninth day after recess and Fiftieth day and recommend that the same be corrected as follows:

Page 571, strike out lines 11, 12 and 13.

Page 572, line 10, strike out the word "President" and insert in lieu thereof the word "Speaker".

Page 576, line 49, correct the spelling of the word "existence".

Page 582, line 25, correct the spelling of the name "Mollet".

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 14
 Senate Bill No. 27
 Senate Bill No. 47
 Senate Bill No. 100
 Senate Bill No. 108
 Senate Bill No. 121
 Senate Bill No. 122
 Senate Bill No. 138
 Senate Bill No. 147
 Senate Bill No. 148
 Senate Bill No. 156

Senate Bill No. 171
 Senate Bill No. 178
 Senate Bill No. 179

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: The Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 71

Was delivered to the Governor for his approval at the hour of 1:55 o'clock.

EMIL TORNO, Chairman.

Mr. President: Your Committee on General Affairs to whom was referred House Bill No. 202, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

G. I. FETON, Chairman.

Senator Fetton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 336, have had the same under consideration and recommend that the same do pass.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Morgan moved that the amendments to House Bill No. 77 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 78 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 79 be adopted, which motion prevailed.

Senator Sandness moved that the amendments to House Bill No. 109 be adopted, which motion prevailed.

Senator Sandness moved that the amendments to House Bill No. 182 be adopted, which motion prevailed.

Senator Flatt moved that the amendments to House Bill No. 194 be adopted, which motion prevailed.

Senator Flatt moved that the amendments to House Bill No. 247 be adopted, which motion prevailed.

Senator Work moved that the amendments to House Bill No. 287 be adopted, which motion prevailed.

Senator Work moved that the amendments to House Bill No. 342 be adopted, which motion prevailed.

Senator Flatt moved that the amendments to House Concurrent Resolution "Q" be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Morgan moved that the Senate concur in the House amendments to Senate Bill No. 64, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 64 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 64

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bjorlie	Krenz	Schrock
Blume	Leno	Schoeder
Brant	Lichty	Shure
Braun	Lynch	Solberg
Bridston	Mehlhaff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work

Absent and not voting:

Bilden	Page	Stucke
Nelson, Griggs- Steele		

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 319

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhaff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs- Steele	Streibel
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath		Work

Those voting in the negative were:

Schrock

Absent and not voting:

Bilden	Page	Stucke
Day		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 329

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Bjorlie	Lynch	Sandness
Blume	Mehlhoff	Schoeder
Brant	Morgan	Shure
Braun	Nelson, McKenzie	Solberg
Bridston	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Day	Nordhougen	Streibel
Feton	O'Brien	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work
Leno		

Those voting in the negative were:

Albers	Duffy	Schrock
Coghlan	Lichty	

Absent and not voting:

Bilden	Stucke
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So the bill passed and the title was agreed to.

House Bill No. 2

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Spiekermeier
Braun	Morgan	Strand
Bridston	Nelson, McKenzie	Streibel
Brunsdale	Nelson, Griggs-	Stucke
Coghlan	Steele	Torno
Day	O'Brien	Troxel
Duffy	Olson, Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Flatt	Page	Welander
Foss	Pyle	Wolf
Fraser	Reinke	Work
Freed	Rue	

Absent and not voting:

Mehlhaff Nordhougen Solberg

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 135

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 24; nays, 23; absent and not voting, 2.

Those voting in the affirmative were:

Bjorlie	Duffy	Page
Blume	Feton	Pyle
Brant	Flatt	Rue
Braun	Foss	Sandness
Bridston	Freed	Shure
Brunsdale	Krenz	Strand
Coghlan	Morgan	Stucke
Day	Olson, Barnes	Work

Those voting in the negative were:

Albers	Nelson, Griggs-	Spiekermeier
Bilden	Steele	Streibel
Fraser	Nordhougen	Torno
Kamrath	O'Brien	Troxel
Leno	Olson, Mountrail	Tuff
Lichty	Reinke	Wahlund
Lynch	Schrock	Welander
Nelson, McKenzie	Schoeder	Wolf

Absent and not voting:

Mehlhaff Solberg

So the bill was declared lost for lack of a constitutional majority.

House Bill No. 10

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhaff	Shure
Braun	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Pyle	Work
Kamrath	Reinke	

Absent and not voting:

Bridston Solberg Strand

So the bill passed and the title was agreed to.

House Bill No. 32

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Shure
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Solberg

So the bill passed and the title was agreed to.

House Bill No. 84

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work

Absent and not voting:

Mehlhoff Solberg

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 121

Senator Flatt moved that House Bill No. 121 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 127

Was read the second time.

Senator Brunsdale moved that House Bill No. 127 be laid over one legislative day, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 23, 1949

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 64.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 23, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 6
House Bill No. 134
House Bill No. 169
House Bill No. 187
House Bill No. 210
House Bill No. 239
House Concurrent Resolution "S"

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 23, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 26
House Bill No. 56
House Bill No. 58
House Bill No. 59
House Bill No. 85
House Bill No. 105

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 23, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 51
House Bill No. 52
House Bill No. 178
House Bill No. 294
House Concurrent Resolution "J"

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

MOTIONS

Senator Schrock moved that the House be requested to return House Bill No. 134, which motion prevailed.

Senate Chamber
Bismarck, February 23, 1949

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 134.

W. J. TROUT, Secretary.

FIRST READING OF SENATE RESOLUTION

Senators Olson of Mountrail, and Bilden introduced:

Senate Resolution "3". A Resolution of Appreciation for the Efforts of the Corps of Army Engineers and the Federal Works Agency During Present Emergency Conditions in North Dakota and Urging the Continuation of Emergency Aid Until Assurance of the Termination of Emergency Conditions in the More Remote Localities Is Received.

Was read the first time.

Senator Streibel moved that the rules be suspended and that Senate Resolution "3" be placed upon second reading and final passage, which motion prevailed.

Senate Resolution "3" was adopted by a standing vote.

Senator Streibel moved that Senate Resolution "3" be printed in the journal, which motion prevailed.

SENATE RESOLUTION "3"

Introduced by Senators Olson of Mountrail and Bilden.

A resolution of appreciation for the efforts of the Corps of Army Engineers and the Federal Works Agency during present emergency conditions in North Dakota and urging the continuation of emergency aid until assurance of the termination of emergency conditions in the more remote localities is received.

1 WHEREAS, emergency storm conditions in North
1a Dakota
2 have endangered life and property and caused widespread
3 suffering, and
4 WHEREAS, the extent of the emergency has exceeded
5 the scope and resources of local agencies, and
6 WHEREAS, the efforts and assistance of the Corps of
7 Army Engineers and the Federal Works Agency have
7a been
8 of immense service in alleviating suffering and are
9 vitally necessary, and
10 WHEREAS, the greatest need exists in the more
10a remote
11 sections where outside contact even by radio may have
12 terminated,
13 NOW, THEREFORE, BE IT RESOLVED, by the
13a Senate of
14 the State of North Dakota that we hereby command and
15 express our appreciation of the valuable services
16 rendered by the Corps of Army Engineers and the
16a Federal
17 Works Agency and urge that aid be continued in each
18 county as may be necessary, that aid be not discontinued
19 in any county until certain assurance has been received
20 that emergency conditions no longer exist in any part of
21 such county, and that other counties not presently
22 recognized as in the emergency zone be added, if found
23 necessary.

24 BE IT FURTHER RESOLVED, that copies of this
 25 resolution be transmitted by the Secretary of the Senate
 26 to General Pick, Army Engineers, Omaha, Nebraska,
 26a Colonel
 27 Seybold, Army Engineers, Fort Lincoln, North Dakota,
 28 Major General Fleming, Federal Works Administration,
 29 Washington 25, D. C., and to Honorable Fred G. Aandahl,
 30 Governor of North Dakota.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 9
 Senate Bill No. 10
 Senate Bill No. 11
 Senate Bill No. 12
 Senate Bill No. 13
 Senate Bill No. 14
 Senate Bill No. 16
 Senate Bill No. 19
 Senate Bill No. 20
 Senate Bill No. 22
 Senate Bill No. 23
 Senate Bill No. 27
 Senate Bill No. 41
 Senate Bill No. 47
 Senate Bill No. 86
 Senate Bill No. 100
 Senate Bill No. 108
 Senate Bill No. 121
 Senate Bill No. 122
 Senate Bill No. 138
 Senate Bill No. 147
 Senate Bill No. 148
 Senate Bill No. 156
 Senate Bill No. 171
 Senate Bill No. 178
 Senate Bill No. 179

And the President signed the same in the presence of the Senate.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1
 House Bill No. 23
 House Bill No. 90
 House Bill No. 92
 House Bill No. 97
 House Bill No. 119
 House Bill No. 120
 House Bill No. 166

And the President signed the same in the presence of the Senate.

Senator Brunsdale moved that after the reading of House Bills Nos. 137, 138, 139, 140, 168, 191, 217, 218, 228, 231, 242, 245, 248, 249, 262, 265, 273, 307, 334, 337, 338, 339, 340, 347, and House Concurrent Resolutions "L" and "P", the Senate recess until 1:00 P. M., February 24, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-FIRST DAY AFTER RECESS AND
FIFTY-SECOND DAY

Bismarck, February 24, 1949

The Senate convened at 1:00 p.m. pursuant to recess taken,
the President presiding.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 24, 1949

Mr. President: I have the honor to return:

House Bill No. 134

Which the Senate has requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 24, 1949

Mr. President: I have the honor to return:

Senate Bill No. 30
Senate Bill No. 39
Senate Bill No. 98
Senate Bill No. 104
Senate Bill No. 133
Senate Bill No. 150
Senate Bill No. 152
Senate Bill No. 180
Senate Bill No. 224
Senate Bill No. 237
Senate Bill No. 241

Which the House has indefinitely postponed.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 24, 1949

Mr. President: I have the honor to return:

Senate Bill No. 5
Senate Bill No. 6
Senate Bill No. 7
Senate Bill No. 8
Senate Bill No. 26
Senate Bill No. 31
Senate Bill No. 35
Senate Bill No. 44
Senate Bill No. 57
Senate Bill No. 58

Senate Bill No. 59
 Senate Bill No. 67
 Senate Bill No. 73
 Senate Bill No. 92
 Senate Bill No. 95
 Senate Bill No. 103
 Senate Bill No. 105
 Senate Bill No. 143
 Senate Bill No. 146
 Senate Bill No. 165
 Senate Bill No. 168
 Senate Bill No. 170
 Senate Bill No. 185

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, February 24, 1949

Mr. President: I have the honor to transmit:

House Bill No. 9
 House Bill No. 37
 House Bill No. 43
 House Bill No. 62
 House Bill No. 64
 House Bill No. 68
 House Bill No. 69
 House Bill No. 71
 House Bill No. 81
 House Bill No. 82
 House Bill No. 91
 House Bill No. 124
 House Bill No. 144
 House Bill No. 145
 House Bill No. 146
 House Bill No. 147
 House Bill No. 148
 House Bill No. 149
 House Bill No. 150
 House Bill No. 165
 House Bill No. 206
 House Bill No. 211
 House Bill No. 215
 House Bill No. 261
 House Bill No. 266
 House Bill No. 269
 House Bill No. 270
 House Bill No. 274
 House Bill No. 275
 House Bill No. 327

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, February 24, 1949

Mr., President: I have the honor to transmit:

House Concurrent Resolution "K"
 House Concurrent Resolution "N"

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 24, 1949

Mr. President: I have the honor to return:

Senate Bill No. 36, which the House has amended as follows:

In line 14, after the word "system" insert in lieu thereof the words "in matters of safety".

In line 20, after the comma, insert in lieu thereof the word "safety".

In line 20, after the word "and" insert in lieu thereof the word "safety".

In line 21, after the word "minimum" insert in lieu thereof the word "safety".

In line 11, after the word "owned" strike out the comma and the words "whether natural".

In line 12, strike out the words "or man made".

Senate Bill No. 65, which the House has amended as follows:

In line 6 of the engrossed bill strike out the period and insert in lieu thereof a comma and the following words: "for the biennium ending June 30, 1949".

Senate Bill No. 132, which the House has amended as follows:

In line 20, after the words "fur-bearing animal" insert the words "except the skunk. (((comma)))"

Renumber the lines accordingly.

Senate Bill No. 134, which the House has amended as follows:

In line 32 after the period, beginning with the word "Provided", strike out the remainder of the section.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 24, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 26

House Bill No. 56

House Bill No. 58

House Bill No. 59

House Bill No. 85

House Bill No. 105

GEORGE OLSON, Chief Clerk.

FIRST READING OF HOUSE BILL

House Bill No. 143. A Bill for an Act to Establish a State Printing Office in the State of North Dakota; Providing That the State Printer Be the Manager; and for the Maintenance and Operation Therefor; for the Employment of Subordinates, Requiring a Bond From the State Printer and for the Purchase of Property; for Civil Actions in Connection Therewith; for Audit and Examination of Such Office and the Validity of Contracts; Requiring That Such Office Shall Handle the Printing for the State Government; Providing an Appropriation and Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Was read the first time and referred to the Committee on State and Federal Government.

SECOND READING OF HOUSE BILLS

House Bill No. 127

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 9; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Morgan	Schrock
Braun	Nelson, McKenzie	Schoeder
Bridston	Nelson, Griggs-	Shure
Brunsdale	Steele	Solberg
Coghlan	Nordhousen	Spiekermeier
Feton	O'Brien	Streibel
Foss	Olson Mountrail	Stucke
Freed	Olson, Barnes	Tuff
Kamrath	Page	Wahlund
Leno	Pyle	Welander
Lichty	Reinke	Wolf
Lynch	Rue	Work
Mehlhaff	Sandness	

Those voting in the negative were:

Bilden	Day	Krenz
Bjorlie	Duffy	Torno
Blume	Fraser	Troxel

Absent and not voting:

Brant	Flatt	Strand
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So the bill passed and the title was agreed to.

The Senate was on the eighth order of business.

Senator Schrock moved that the Senate reconsider the vote by which House Bill No. 134 was lost, which motion prevailed.

Senator Schrock moved that House Bill No. 134 be placed at the head of the calendar, which motion prevailed.

House Bill No. 134

Which has been read.

Senator Brunsdale moved that House Bill No. 134 be amended as follows: In line 11, on page 2, after the word "dollars" insert the following language: "A like fee shall be paid upon each annual renewal thereof." Strike out the emergency clause both in the Bill and in the title. Add Section 2. All acts and parts of acts in conflict herewith are hereby repealed. In the title strike out all reference to the emergency and add the following language: "and repealing all acts or parts of acts in conflict herewith." which motion prevailed.

Senator Brunsdale moved that the rules be suspended and that House Bill No. 134 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill,

as amended the roll was called and there were ayes, 22; nays, 27; absent and not voting, 0.

Those voting in the affirmative were:

Blume	Feton	Pyle
Brant	Flatt	Rue
Braun	Freed	Sandness
Bridston	Krenz	Shure
Brunsdale	Mehlhoff	Strand
Coghlan	Morgan	Stucke
Day	Olson, Barnes	Work
Duffy		

Those voting in the negative were:

Albers	Nelson, Griggs-	Solberg
Bilden	Steele	Spiekermeier
Bjorlie	Nordhougen	Streibel
Foss	O'Brien	Torno
Fraser	Olson Mountrail	Troxel
Kamrath	Page	Tuff
Leno	Reinke	Wahlund
Lichty	Schrock	Welanders
Lynch	Schoeder	Wolf
Nelson, McKenzie		

So the bill was declared lost for lack of a constitutional majority.

Senator Foss changed his vote from aye to nay for the purpose of reconsideration.

House Bill No. 137

Which has been read.

Senator Flatt moved that House Bills Nos. 137, 138 and 139 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 140

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	Olson, Barnes	Wahlund
Foss	Pyle	Welanders
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Those voting in the negative were:

O'Brien	Page	Tuff
Olson Mountrail	Stucke	

Absent and not voting:

Braun Flatt

So the bill passed and the title was agreed to.

House Bill No. 168

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhaff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	O'Brien	Torno
Feton	Olson Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Duffy Nordhougen

So the bill passed and the title was agreed to.

House Bill No. 191

Which has been read.

Senator Day moved that House Bill No. 191 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 217

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhaff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	O'Brien	Torno
Feton	Olson Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Duffy Nordhougen
 So the bill passed and the title was agreed to.
 House Bill No. 218
 Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhaff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	O'Brien	Torno
Feton	Olson Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Duffy Nordhougen
 So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 228
 Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhaff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	O'Brien	Torno
Feton	Olson Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Work
Kamrath	Rue	

Absent and not voting:

Duffy Nordhougen Wolf

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 231

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	O'Brien	Torno
Feton	Olson Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Work
Kamrath	Rue	

Absent and not voting:

Duffy Nordhougen Wolf

So the bill passed and the title was agreed to.

House Bill No. 242

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Pyle	Wahlund
Fraser	Page	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Duffy Nordhougen

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 245
Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Blume	Lynch	Shure
Bjorlie	Mehlhoff	Solberg
Brant	Morgan	Spiekermeier
Braun	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz	Sandness	

Absent and not voting:

Bridston Duffy Nordhougen

So the bill passed and the title was agreed to.

House Bill No. 248

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Absent and not voting:

Bridston Nordhougen Stucke
Duffy

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 249

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Lichty	Schrock
Bilden	Lynch	Schoeder
Bjorlie	Mehlhoff	Shure
Blume	Morgan	Solberg
Brant	Nelson, McKenzie	Spiekermeier
Braun	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Feton	O'Brien	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work
Leno	Sandness	

Those voting in the negative were:

Brunsdale Day

Absent and not voting:

Bridston	Nordhougen	Stucke
Duffy		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-SECOND DAY

Bismarck, February 24, 1949

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. G. A. Johns of Bismarck.

Roll Call: All Senators present.

A quorum was declared present by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fiftieth Day after recess and Fifty-first day and recommend that the same be corrected as follows:

Page 595, line 9, insert the words "Mr. President" at the beginning of the line.

Page 596, line 30, strike out the word "FIRST" and insert in lieu thereof the word "SECOND."

Page 601, line 36, correct the spelling of the word "efforts".

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

THURSDAY, FEBRUARY 24, 1949

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MESSAGE FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

February 23, 1949

Members of the Senate
Thirty-First Legislative Assembly
Senate Chambers
Bismarck, North Dakota

Gentlemen:

Today I have approved Senate Bill Number 71.
This bill has been filed with the Secretary of State.

Sincerely yours,
FRED G. AANDAHL
Governor

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 24, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 9
Senate Bill No. 10
Senate Bill No. 11
Senate Bill No. 12
Senate Bill No. 13
Senate Bill No. 14
Senate Bill No. 16
Senate Bill No. 19
Senate Bill No. 20
Senate Bill No. 22
Senate Bill No. 23
Senate Bill No. 27
Senate Bill No. 41
Senate Bill No. 47
Senate Bill No. 86
Senate Bill No. 100
Senate Bill No. 108
Senate Bill No. 121
Senate Bill No. 122
Senate Bill No. 138
Senate Bill No. 147
Senate Bill No. 148
Senate Bill No. 156
Senate Bill No. 171
Senate Bill No. 178
Senate Bill No. 179

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 24, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 1
House Bill No. 23
House Bill No. 90
House Bill No. 92
House Bill No. 97

House Bill No. 119

House Bill No. 120

House Bill No. 166

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 24, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 2

House Bill No. 10

House Bill No. 84

House Bill No. 214

House Bill No. 237

House Bill No. 238

House Bill No. 319

House Bill No. 329

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 24, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 32

House Bill No. 190

House Bill No. 256

House Concurrent Resolution "F"

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, February 24, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 304

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 24, 1949

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 30, which was messaged over in error.

GEORGE OLSON, Chief Clerk.

The Senate was on the eighth order of business.

Senator Flatt moved that the Senate return Senate Bill No. 30 to the House as requested.

Senator Brunsdale moved that the Senate defer action on the return of Senate Bill No. 30 to the House until a later hour, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 53

Senate Bill No. 54

Senate Bill No. 64

- Senate Bill No. 135
- Senate Bill No. 136
- Senate Bill No. 140
- Senate Bill No. 155
- Senate Bill No. 162
- Senate Bill No. 163
- Senate Bill No. 181
- Senate Bill No. 196
- Senate Bill No. 197
- Senate Bill No. 200
- Senate Bill No. 210
- Senate Bill No. 215

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 5, have had the same under consideration and recommend that the same be amended as follows:

In Line 192, strike out the word "tuition" and insert, in lieu thereof, the word "equalization"; at the end of the same line, strike out the word "equalization" and insert, in lieu thereof, the word "tuition".

And when so amended recommend the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 55, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 61, have had the same under consideration and recommend that the same be amended as follows:

In line 3, strike out the figures \$475,000.00 and insert in lieu thereof the figures \$495,000.00.

In line 16, strike out the figures \$50,000.00 and insert in lieu thereof the figures \$45,000.00.

In line 17 strike out the figures \$56,000.00 and insert in lieu thereof the figures \$76,000.00.

In line 23-a insert the following: Compiling, printing, mailing and postage of annual report and financial statement giving details of receipts and expenditures, to be mailed to every person, firm or corporation which has paid inspection or other fees to the State Seed Department during the preceding year

..... \$5,000.00

In line 24 strike out the figures \$475,000.00 and insert in lieu thereof the figures \$495,000.00.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 65, have had the same under consideration and recommend that the same be amended as follows:

In line 4 strike out the figure \$1,100,050.00 and insert the figure \$1,140,050.00 in lieu thereof.

In line 60, strike out the figure \$225,000.00 and insert the figure \$265,000.00 in lieu thereof.

In line 65 for Total strike out the figure \$1,897,050.00 and insert the figure \$1,937,050.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 66, have had the same under consideration and recommend that the same be amended as follows:

In line 4 strike out the figure \$419,455.00 and insert the figure \$422,655.00 in lieu thereof.

In line 11 after the word "Wages" strike out the colon and insert the figure \$1,181,601.00.

After line 11 strike out all of lines 12 and 13 and renumber the lines accordingly.

After line 46 correctly renumber the remaining lines.

In line 69 strike out the figure \$2,500.00 and insert the figure \$5,800.00 in lieu thereof.

In line 72 for Total strike out the figure \$2,717,556.00 and insert the figure \$2,720,756.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 67, have had the same under consideration and recommend that the same be amended as follows:

In line 2 strike out the figure \$340,000.00 and insert the figure \$325,000.00 in lieu thereof.

In line 4 strike out the figure \$674,200.00 and insert the figure \$709,200.00 in lieu thereof.

After line 35 insert the following two lines:

"36 3. Additional Appropriation for Remodeling

37 Old Administration Building\$20,000.00"

And renumber the lines accordingly.

In line 45 for Total strike out the figure \$1,014,200.00 and insert the figure \$1,034,200.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 70, have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure \$40,000.00 and insert the figure \$50,000.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 80, have had the same under consideration and recommend that the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Labor Relations to whom was referred House Bill No. 126, have had the same under consideration and recommend that the same be indefinitely postponed.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted.

Senator Brunsdale moved that the Committee Report on House Bill No. 126 be laid over one legislative day, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 143, have had the same under consideration and recommend that the same be re-referred to the Committee on Appropriations, without recommendation.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 158, have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 183, have had the same under consideration and recommend that the same be amended as follows:

In Line 97, strike out the word "registrar" and insert, in lieu thereof, the word "secretary";

In Line 119, strike out the word "registrar" and insert, in lieu thereof, the word "secretary".

And when so amended recommend the same be re-referred to Appropriations Committee .

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 195, have

had the same under consideration and recommend that the same be amended as follows:

On line 18 of the original bill, after the comma following the word "except" strike out the balance of the bill, and insert, in lieu thereof, the following:

"however, when the offense is committed in any county within an area, where there is in process of construction any federal project of such magnitude as to attract to such area a large number of people from outside the locality, then any person convicted of an offense for which he might have been sentenced to a county jail, and who is not, in the opinion of the court, permanently residing in said area, the cost of care and upkeep shall be paid by the state out of funds appropriated for that purpose. Provided further that whenever the state farm is filled to capacity and there are no longer adequate facilities for additional inmates, the board of administration shall notify the courts of such facts and after such notice no further commitments shall be made to said institution until such facilities have been provided. The board shall have authority to enter into an arrangement or agreement with the proper authorities of the federal government whereby persons convicted of a crime in the federal court of this state may be committed to said farm, but persons convicted in the federal court shall be admissible to the said farm only if the term of sentence is not less than thirty days nor more than one year.

SECTION 2. AMENDMENT.) Section 12-5109 of the North Dakota Revised Code of 1943 is hereby amended and re-enacted to read as follows:

12-5109. BOARD OF ADMINISTRATION MAY TRANSFER PERSON FROM STATE FARM TO PENITENTIARY OR FROM PENITENTIARY TO STATE FARM.) When the board of administration, either at the time of commitment or at any time thereafter, shall determine that for purposes of safety of other inmates or of the general public or for the purpose of discipline it is necessary or proper that any person committed to the state farm should be transferred to the state penitentiary, such transfer may be made for such period as the board may deem proper. Where a person who has been committed to the state farm conducts himself in such manner as to interfere with the operation of the farm, or with the welfare or safety of others, and where in the judgment of the board of administration the best interests of such person or the best interests and welfare of other persons committed to the farm so require, the board may direct that such person be removed from the farm and placed in the penitentiary. The board also may direct that persons who have been sentenced to the penitentiary be transferred to the farm, when such action seems desirable and for the best interests of the person so transferred and in no manner detrimental to the welfare of other persons who have been committed to the said farm. The board may cause persons committed to the said farm to be assigned for work incident to the operations of the penitentiary or of any other institution under the control of the said board."

Renumber the lines.

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 203, have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 204, have had the same under consideration and recommend that the same be amended as follows:

On line 23, after the period, insert the following language:

"The aggregate liability of the surety to all persons, however, shall in no event exceed the amount of said bond."

Renumber the lines.

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 282, have had the same under consideration and recommend that the same be amended as follows:

After Line 58, add the following amendment:

"An elementary student who lives in a county in this state bordering on another state and who, because of more convenient roads, distances or other circumstances, has the recommendation of the county superintendent of schools to attend a public school in an adjoining state, may attend such public school. The home county shall pay the school district in such neighboring state the amount of \$70.00 toward the elementary tuition for such pupil. Such elementary students attending public schools in a foreign state shall be counted in the county from which they come in calculating the obligations of said county. The payment of such foreign elementary tuition shall be paid by the home county."

Renumber the lines.

And when so amended recommend the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 288, have had the same under consideration and recommend that the same be amended as follows:

In line 46 of the engrossed bill, following the first word "of" strike out the remainder of the line;

In line 48, strike out the word "four" and insert, in lieu thereof, the word "five";

After the period in line 50, insert the following language: "One member of the board shall be a farmer."

In line 52, after the colon, insert the following words: "consumer members of";

In line 54, strike out the comma at the end of the line and insert a period, in lieu thereof;

In line 55, strike out everything up to and including the word "farmer.";

In line 67, strike out the words "ex officio";

In line 153, following the word "authority" strike out the remainder of the line and all of line 154, and insert, in lieu thereof, the following language: "under the contract, undertaking or agreement is limited to the actual installation by him of farmstead electrical wiring, the installation of electrical equipment, appliances and apparatus used on farmsteads.";

After Section 8, add the following section:

"SECTION 9. SPECIAL EMERGENCY.) In the case of an emergency, as determined by the manager and board of directors of the local rural electric co-operative, where sufficient licensed electricians are not available for the installation, maintenance or repair of farmstead electrical wiring where current is being supplied or is to be supplied by a rural electric co-operative, or other public utility, any competent workman who has had at least eighteen months experience in farmstead wiring may enter into a contract, undertaking, or agreement for installation, maintenance, or repair of farmstead electrical wiring, if the contract is approved by the manager and board of directors of the cooperative, and no license shall be required for the performance of work under such contract, undertaking, or agreement, provided the provisions of this emergency shall expire July 1, 1951."

Following Section 9, add the following section:

"SECTION 10. CONSTITUTIONALITY.) If any section, subsection, clause, sentence or phrase of this Act is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this Act."

In line 155 of the engrossed bill, strike out "SECTION 9." and insert, in lieu thereof, "SECTION 11.";

Add Section 12, as follows:

"SECTION 12. 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."

At the end of the title of the bill, change the period to a comma, and add the following: "and declaring an emergency."

Renumber the lines.

And when so amended recommend the same do pass.

MILTON R. RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: The majority of your Committee on General Affairs to whom was referred House Bill No. 309, have had the same under consideration and recommend that the same be indefinitely postponed.

G. I. FETON
FRANKLIN PAGE
W. H. MEHLHAFF
MILTON RUE

P. L. FOSS
 J. L. FLATT
 CARROLL E. DAY
 G. I. FETON, Chairman.

Mr. President: The minority of your Committee on General Affairs to whom was referred House Bill No. 309, have had the same under consideration and recommend that the same do pass.

EDWARD LENO
 DUNCAN FRASER
 R. M. STREIBEL
 WALTER TROXEL
 IVER SOLBERG
 HJALMER NELSON
 G. I. FETON, Chairman.

Senator Fetton moved that the report of the majority on House Bill No. 309 be adopted.

Senator Leno made a substitute motion that the report of the minority on House Bill No. 309 be substituted for the report of the majority, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 318, have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 348, have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

Senator Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 344, have had the same under consideration and recommend that the same be amended as follows:

After the word "the" in the 4th line of the title, strike out the words "fire department" and insert in lieu thereof the words "firemen's relief association".

After the word "city" in the 5th line of the title, strike out the word "shall" and insert in lieu thereof the word "may".

On line 5 of the printed bill, after the word "AND" strike out the word "FIREMEN" and insert in lieu thereof the words "MEMBERS OF FIREMEN'S RELIEF ASSOCIATIONS".

On line 17 of the printed bill, strike out the words "and of the fire department".

On line 18 of the printed bill, change the period after the word "city" to a comma, and add the words "and members of a firemen's relief association shall not be considered employees of the city, if by a majority vote of the members thereof, they exclude themselves."

And when so amended recommend the same do pass.

W. H. SHURE, Chairman.

Senator Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "W", have had the same under consideration and recommend that the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "X", have had the same under consideration and recommend that the same be indefinitely postponed.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "Y", have had the same under consideration and recommend that the same be amended as follows:

After the period on Line 16, strike out the balance of the Resolution, and insert, in lieu thereof, the following:

"BE IT FURTHER RESOLVED that the North Dakota secretary of state be requested to send a copy of this resolution to the President of the United States, to the United States Secretary of State, to the President of the United States Senate, and to the Speaker of the United States House of Representatives, and to each of the senators and representatives of the State of North Dakota."

Renumber the lines.

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Strand moved that after the reading of House Bills No. 77, 78, 79, 109, 182, 194, 202, 236, 247, 287, 336, 342, House Concurrent Resolutions "Q" and "T", the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened, pursuant to recess taken, the President presiding.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Feton moved that the Senate concur in the House amendments to Senate Bill No. 36, which motion prevailed.

Senator Feton moved that the rules be suspended and that Senate Bill No. 36 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 36

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were, ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Leno	Schrock
Bilden	Lichty	Schoeder
Ejorlie	Lynch	Shure
Blume	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Those voting in the negative were:

Day Sandness

Absent and not voting:

Brant Mehlhaff

So the bill passed and the title was agreed to.

Senator Morgan moved that the Senate concur in the House amendment to Senate Bill No. 65, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 65 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 65

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Krenz	Schrock
Bilden	Leno	Schoeder
Bjorlie	Lichty	Shure
Blume	Lynch	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath	Sandness	

Absent and not voting:

Brant Mehlhaff Morgan

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Braun moved that the Senate concur in the House amendment to Senate Bill No. 132, which motion prevailed.

Senator Braun moved that the rules be suspended and that Senate Bill No. 132 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 132

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Braun	Morgan	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Absent and not voting:

Brant

So the bill passed and the title was agreed to.

Senator Shure moved that the Senate concur in the House amendment to Senate Bill No. 134, which motion prevailed.

Senator Shure moved that the rules be suspended and that Senate Bill No. 134 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 134

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Brant	Lichty	Schoeder
Braun	Lynch	Shure
Bridston	Mehlhoff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nelson, McKenzie	Streibel
Day	Nelson, Griggs-	Torno
Duffy	Steele	Troxel
Feton	Nordhougen	Tuff

Flatt	O'Brien	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Page	Wolf
Freed	Pyle	Work
Kamrath	Reinke	

Those voting in the negative were:

Albers	Olson, Mountrail	Solberg
Blume	Schrock	

Absent and not voting:

Stucke

So the bill passed and the title was agreed to.

The Senate was on the eighth order of business.

Senator Flatt moved that the Senate return Senate Bill No. 30 to the House, as requested, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 24, 1949

Mr. Speaker: I have the honor to return:

Senate Bill No. 30

Which the House has requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 24, 1949

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 36

Senate Bill No. 65

Senate Bill No. 132

Senate Bill No. 134

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 262

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Shure
Braun	Morgan	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Duffy	Nordhogen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work

Absent and not voting:

Day Stucke

So the bill passed and the title was agreed to.

House Bill No. 265

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 7; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Leno	Rue
Bilden	Lichty	Sandness
Bjorlie	Lynch	Schoeder
Braun	Mehlhaff	Shure
Bridston	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Strand
Feton	Nelson, Griggs-	Streibel
Flatt	Steele	Troxel
Foss	O'Brien	Wahlund
Fraser	Olson, Mountrail	Welander
Freed	Olson, Barnes	Wolf
Kamrath	Pyle	Work
Krenz	Reinke	

Those voting in the negative were:

Blume	Schrock	Torno
Duffy	Solberg	Tuff
Page		

Absent and not voting:

Brant Day Stucke
Brunsdale Nordhougen

So the bill passed and the title was agreed to.

House Bill No. 273

Which has been read.

Senator Shure moved that House Bill No. 273 be amended as follows: In line 76 of the engrossed bill strike out the words "time deposit" and substitute the words "investment trust certificate", which motion prevailed.

Senator Shure moved that the rules be suspended and that House Bill No. 273 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Bjorlie	Krenz	Schrock
Braun	Leno	Schoeder
Bridston	Lichty	Shure
Brunsdale	Lynch	Spiekermeier
Coghlan	Morgan	Strand
Day	Nelson, McKenzie	Streibel
Duffy	Nelson, Griggs-	Torno
Feton	Steele	Troxel

Flatt	O'Brien	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Reinke	Welander
Freed	Rue	Wolf
Kamrath	Sandness	Work

Those voting in the negative were:

Albers	Mehlhoff	Pyle
Bilden	Olson, Mountrail	Solberg
Blume	Page	

Absent and not voting:

Brant	Nordhougen	Stucke
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So the bill passed and the title was agreed to.

House Bill No. 307

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekemeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Absent and not voting:

Brant	Nordhougen	Stucke
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So the bill passed and the title was agreed to.

House Bill No. 334

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekemeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Duffy	O'Brien	Torno

Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Brant Nordhougen

So the bill passed and the title was agreed to.

House Bill No. 337

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Braun	Mehlhaff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Streibel
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Those voting in the negative were:

Page Tuff

Absent and not voting:

Brant Stucke

So the bill passed and the title was agreed to.

House Bill No. 338

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Braun	Mehlhaff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Streibel
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel

Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work

Absent and not voting:

Brant Stucke

So the bill passed and the title was agreed to.

House Bill No. 339

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Braun	Mehlhaff	Solberg
Bridston	Morgan	Spiekemeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz	Sandness	

Those voting in the negative were:

Albers Page

Absent and not voting:

Brant

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 340

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhaff	Shure
Braun	Morgan	Solberg
Bridston	Nelson, McKenzie	Spiekemeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Stucke
Duffy	O'Brien	Torno

Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Absent and not voting:

Brant

So the bill passed and the title was agreed to.

House Bill No. 347

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 0.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Shure
Braun	Morgan	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlán	Steele	Streibel
Day	O'Brien	Stucke
Duffy	Olson Mountrail	Torno
Feton	Olson, Barnes	Troxel
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Those voting in the negative were:

Bilden	Nordhougen	Tuff
Flatt		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Flatt moved that the Senate reconsider the action on the committee report by which House Bill No. 158 was indefinitely postponed, which motion prevailed.

Senator Flatt moved that House Bill No. 158 be referred to the Committee on Judiciary, which motion prevailed.

Senator Brunsdale moved that the Senate recess until 1:00 p.m., February 25, 1949, which motion prevailed.

W. J. TROUT, Secretary.

**FIFTY-SECOND DAY AFTER RECESS
AND FIFTY-THIRD DAY**

Bismarck, February 25, 1949

The Senate convened at 1:00 P. M., pursuant to recess taken, the President presiding.

The Senate was on the thirteenth order of business.

Senator Brunsdale moved that House Concurrent Resolutions "L" and "P" be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 121

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 19; nays, 29; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Nelson, McKenzie	Streibel
Bjorlie	Nordhougen	Stucke
Duffy	O'Brien	Torno
Kamrath	Olson Mountrail	Tuff
Leno	Page	Wahlund
Lichty	Schrock	Welande
Lynch		

Those voting in the negative were:

Bilden	Foss	Rue
Blume	Fraser	Sandness
Brant	Freed	Schoeder
Braun	Krenz	Shure
Bridston	Mehlhoff	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Olson, Barnes	Troxel
Feton	Pyle	Wolf
Flatt	Reinke	Work

Absent and not voting:

Morgan

So the bill was declared lost.

Senator Troxel moved that the vote by which House Bill No. 121 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 137

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll

was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhaff	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Foss	Page	Wahlund
Flatt	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Absent and not voting:

Morgan

So the bill passed and the title was agreed to.

House Bill No. 138

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhaff	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Absent and not voting:

Morgan

So the bill passed and the title was agreed to.

House Bill No. 139

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Absent and not voting:

Morgan

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 191

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Torno
Day	O'Brien	Troxel
Duffy	Olson Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Those voting in the negative were:

Flatt

Absent and not voting:

Morgan Stucke

So the bill passed and the title was agreed to.

House Bill No. 77

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
--------	-------	----------

Bilden	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Shure
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Those voting in the negative were:

Bjorlie Solberg

Absent and not voting:

Leno Morgan

So the bill passed and the title was agreed to.

House Bill No. 78

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Krenz	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work

Absent and not voting:

Leno Morgan

So the bill passed and the title was agreed to.

House Bill No. 79

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Krenz	Schrock
Bjorlie	Lichty	Schoeder

Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work

Absent and not voting:

Leno Morgan

So the bill passed and the title was agreed to.

House Bill No. 109

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Bilden	Krenz	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work

Absent and not voting:

Leno Morgan

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 182

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel

Coghlan	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Day Morgan

So the bill passed and the title was agreed to.

House Bill No. 194

Which has been read.

Senator Stucke moved that House Bill No. 194 be laid over until Monday, which motion prevailed.

House Bill No. 202

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 12; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Kamrath	Pyle
Bjorlie	Krenz	Reinke
Brant	Leno	Rue
Braun	Lichty	Sandness
Bridston	Lynch	Schrock
Brunsdale	Mehlhoff	Shure
Coghlan	Nelson, Griggs-	Spiekermeier
Day	Steele	Strand
Duffy	Nordhougen	Stucke
Feton	O'Brien	Torno
Flatt	Olson, Barnes	Troxel
Foss	Page	Work
Freed		

Those voting in the negative were:

Bilden	Olson, Mountrail	Tuff
Blume	Schoeder	Wahlund
Fraser	Solberg	Welander
Nelson, McKenzie	Streibel	Wolf

Absent and not voting:

Morgan

So the bill passed and the title was agreed to.

House Bill No. 236

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lynch	Schrock
Brant	Mehlhoff	Schoeder
Braun	Nelson, McKenzie	Shure

Bridston	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nordhougen	Streibel
Duffy	O'Brien	Stucke
Flatt	Olson, Mountrail	Wahlund
Feton	Olson, Barnes	Welander
Foss	Pyle	Wolf
Fraser	Reinke	Work
Freed		

Those voting in the negative were:

Albers	Page	Troxel
Kamrath	Solberg	Tuff
Lichty	Torno	

Absent and not voting:

Day	Morgan
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So the bill passed and the title was agreed to.

Senator Foss moved that the vote by which House Bill No. 134 was lost be reconsidered.

Senator Foss requested a call of the Senate, which request was granted.

Senator Foss moved that the call of the Senate be dispensed with, which motion prevailed.

ROLL CALL

The question being on the motion of Senator Foss that the vote by which House Bill No. 134 was lost be reconsidered, the roll was called and there were ayes, 27; nays, 22; absent and not voting, 0.

Those voting in the affirmative were:

Blume	Foss	Pyle
Brant	Freed	Rue
Braun	Krenz	Sandness
Bridston	Lichty	Shure
Brunsdale	Mehlhoff	Strand
Coghlan	Morgan	Stucke
Day	Nelson, Griggs-	Torno
Duffy	Steele	Welander
Feton	Olson, Barnes	Work
Flatt		

Those voting in the negative were:

Albers	Nordhougen	Solberg
Bilden	O'Brien	Spiekermeier
Bjorlie	Olson, Mountrail	Streibel
Fraser	Page	Troxel
Kamrath	Reinke	Tuff
Leno	Schrock	Wahlund
Lynch	Schoeder	Wolf
Nelson, McKenzie		

So the motion prevailed.

Senator Foss moved that House Bill No. 134 be placed at the head of the calendar, which motion prevailed.

House Bill No. 134

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 23; absent and not voting, 0.

Those voting in the affirmative were:

Blume	Flatt	Rue
Brant	Foss	Sandness
Braun	Freed	Shure
Bridston	Krenz	Strand
Brunsdale	Lichty	Stucke
Coghlan	Mehlhoff	Torno
Day	Morgan	Troxel
Duffy	Olson, Barnes	Work
Feton	Pyle	

Those voting in the negative were:

Albers	Nelson, Griggs-	Schoeder
Bilden	Steele	Solberg
Bjorlie	Nordhougen	Spiekermeier
Fraser	O'Brien	Streibel
Kamrath	Olson, Mountrail	Tuff
Leno	Page	Wahlund
Lynch	Reinke	Welander
Nelson, McKenzie	Schrock	Wolf

So the bill passed and the title was agreed to.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 53
 Senate Bill No. 54
 Senate Bill No. 64
 Senate Bill No. 135
 Senate Bill No. 136
 Senate Bill No. 140
 Senate Bill No. 155
 Senate Bill No. 162
 Senate Bill No. 163
 Senate Bill No. 181
 Senate Bill No. 196
 Senate Bill No. 197
 Senate Bill No. 200
 Senate Bill No. 210
 Senate Bill No. 215

And the President signed the same in the presence of the Senate.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 9
 House Bill No. 37
 House Bill No. 43
 House Bill No. 62
 House Bill No. 64
 House Bill No. 68
 House Bill No. 69
 House Bill No. 71
 House Bill No. 81
 House Bill No. 82
 House Bill No. 91
 House Bill No. 124
 House Bill No. 144
 House Bill No. 145
 House Bill No. 146

House Bill No. 147
House Bill No. 148
House Bill No. 149
House Bill No. 150
House Bill No. 165
House Bill No. 206
House Bill No. 211
House Bill No. 215
House Bill No. 261
House Bill No. 266
House Bill No. 269
House Bill No. 270
House Bill No. 274
House Bill No. 275
House Bill No. 327
House Concurrent Resolution "K"
House Concurrent Resolution "N"

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 25, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 9
House Bill No. 37
House Bill No. 43
House Bill No. 62
House Bill No. 64
House Bill No. 68
House Bill No. 69
House Bill No. 71
House Bill No. 81
House Bill No. 82
House Bill No. 91
House Bill No. 124
House Bill No. 144
House Bill No. 145
House Bill No. 146
House Bill No. 147
House Bill No. 148
House Bill No. 149
House Bill No. 150
House Bill No. 165
House Bill No. 206
House Bill No. 211
House Bill No. 215
House Bill No. 261
House Bill No. 266
House Bill No. 269
House Bill No. 270
House Bill No. 274
House Bill No. 275
House Bill No. 327
House Concurrent Resolution "K"
House Concurrent Resolution "N"
Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 25, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 53
 Senate Bill No. 54
 Senate Bill No. 64
 Senate Bill No. 135
 Senate Bill No. 136
 Senate Bill No. 140
 Senate Bill No. 155
 Senate Bill No. 162
 Senate Bill No. 163
 Senate Bill No. 181
 Senate Bill No. 196
 Senate Bill No. 197
 Senate Bill No. 200
 Senate Bill No. 210
 Senate Bill No. 215

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
 Bismarck, February 25, 1949

Mr. President: I have the honor to return:

Senate Bill No. 9
 Senate Bill No. 10
 Senate Bill No. 11
 Senate Bill No. 12
 Senate Bill No. 13
 Senate Bill No. 14
 Senate Bill No. 16
 Senate Bill No. 19
 Senate Bill No. 20
 Senate Bill No. 22
 Senate Bill No. 23
 Senate Bill No. 27
 Senate Bill No. 41
 Senate Bill No. 47
 Senate Bill No. 86
 Senate Bill No. 100
 Senate Bill No. 108
 Senate Bill No. 121
 Senate Bill No. 122
 Senate Bill No. 138
 Senate Bill No. 147
 Senate Bill No. 148
 Senate Bill No. 156
 Senate Bill No. 171
 Senate Bill No. 178
 Senate Bill No. 179

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, February 25, 1949

Mr. President: I have the honor to transmit:

House Bill No. 6
 House Bill No. 167
 House Bill No. 169
 House Bill No. 170
 House Bill No. 187
 House Bill No. 210 -

House Bill No. 239
House Joint Memorial Resolution "A"
Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 25, 1949

Mr. President: I have the honor to return:

Senate Bill No. 192

Which the House has amended as follows:

In line 1 of the title, strike out the figures and words: "5 of chapter 256" and the comma at the end of the line.

In line 2 of the title, strike out the words and figures: "Session Laws of 1947"

Insert in lieu there-of the following:

"Section 39-1605 of the 1947 Supplement to the North Dakota Revised Code of 1943"

In line 1 of the Bill strike out the figures and words: "5 of chapter 256" and the comma at the end of the line.

In line 2 of the bill, strike out the words and figures: "Session Laws of 1947"

Insert in lieu thereof the following:

"Section 39-1605 of the 1947 Supplement to the North Dakota Revised Code of 1943".

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 25, 1949

Mr. President: I have the honor to return:

Senate Bill No. 3
Senate Bill No. 62
Senate Bill No. 63
Senate Bill No. 66
Senate Bill No. 68
Senate Bill No. 70
Senate Bill No. 72
Senate Bill No. 77
Senate Bill No. 89
Senate Bill No. 90
Senate Bill No. 97
Senate Bill No. 99
Senate Bill No. 130
Senate Bill No. 131
Senate Bill No. 142
Senate Bill No. 145
Senate Bill No. 151
Senate Bill No. 183
Senate Bill No. 187
Senate Bill No. 194
Senate Bill No. 211
Senate Bill No. 212
Senate Bill No. 213
Senate Bill No. 217
Senate Bill No. 236
Senate Bill No. 240
Senate Bill No. 242

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 25, 1949

Mr. President: I have the honor to return:

Senate Bill No. 30
Senate Bill No. 184
Senate Bill No. 231
Senate Bill No. 234

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 25, 1949

Mr. President: I have the honor to return:

Senate Concurrent Resolution "E"
Senate Concurrent Resolution "I"
Senate Concurrent Resolution "M"
Senate Concurrent Resolution "N"

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.
House Chamber

Bismarck, February 25, 1949

Mr. President: I have the honor to return:

Senate Bill No. 96

Which the House has amended as follows:

In line 6 after the word "party" insert a comma.

In line 6 after the word "elected" insert the following words "or appointed".

In line 7 strike out the brackets in front of "nominees" and after "holdover". Strike out the word "holdover" and substitute the word "the". Strike out the comma after the word "of".

Senate Bill No. 226

Which the House has amended as follows:

In line 225 after the words "conviction thereof" insert the word "shall".

GEORGE OLSON, Chief Clerk.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-THIRD DAY

Bismarck, February 25, 1949

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. G. A. Johns of Bismarck.

Roll Call: All Senators present.

A quorum was declared present by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-first day after recess and Fifty-second day and recommend that the same be corrected as follows:

Page 621, line 21, strike out the words "and adopted".

Page 626, line 42, correct the spelling of the word "pre-vailed."

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 25, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 256

House Bill No. 268

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 25, 1949

Mr. President: I have the honor to request the return of Senate Bill No. 39.

GEORGE OLSON, Chief Clerk.

COMMUNICATION

A communication from Betty McCann of Leal, North Dakota, in reference to correspondence courses in high schools was presented by the Secretary and referred to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution "B"

Senate Memorial Resolution "B"

Senate Bill No. 35

Senate Bill No. 57

Senate Bill No. 58

Senate Bill No. 59

Senate Bill No. 73

Senate Bill No. 92

Senate Bill No. 95

Senate Bill No. 103

Senate Bill No. 105

Senate Bill No. 143

Senate Bill No. 146

Senate Bill No. 165

Senate Bill No. 168

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 9

Senate Bill No. 10

Senate Bill No. 11

Senate Bill No. 12

Senate Bill No. 13

Senate Bill No. 14

Senate Bill No. 16

Senate Bill No. 19

Senate Bill No. 20

Senate Bill No. 22
 Senate Bill No. 23
 Senate Bill No. 27
 Senate Bill No. 41
 Senate Bill No. 47
 Senate Bill No. 86
 Senate Bill No. 100

Were delivered to the Governor for his approval at the hour of 2:00 o'clock, February 25, 1949.

EMIL TORNO, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 108
 Senate Bill No. 121
 Senate Bill No. 122
 Senate Bill No. 138
 Senate Bill No. 147
 Senate Bill No. 148
 Senate Bill No. 156
 Senate Bill No. 171
 Senate Bill No. 178
 Senate Bill No. 179

Were delivered to the Governor for his approval at the hour of 2:00 o'clock, February 25, 1949.

EMIL TORNO, Chairman.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 21, have had the same under consideration and recommend that the same be amended as follows:

In lines 7 and 16 of the original bill strike out the brackets.
 In lines 16 and 17 of the original bill, strike out "for the general fund of the state and"

In line 17 of the original bill capitalize the word "the"
 And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 63, have had the same under consideration and recommend that the same be amended as follows:

In line 4 strike out the figure \$297,750.00 and insert the figure \$342,750.00 in lieu thereof.

In line 12 strike out the figure \$190,000.00 and insert the figure \$200,000.00 in lieu thereof.

After line 33 insert the following two lines and renumber the lines accordingly:

"34 2. Additional Appropriation for Gymnasium
 35 & School House Addition\$35,000.00"

In line 41 for Total strike out the figure \$365,750.00 and insert the figure \$410,750.00 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Foss moved that the committee report on House Bill No. 126 be adopted, which was for indefinite postponement.

Senator Schrock made a substitute motion that House Bill No. 126 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 156, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 163, have had the same under consideration and recommend that the same be amended as follows:

In line 150 of the Engrossed Bill strike out the period and add the following language:

"unless such special tax is refunded."

Beginning with line 189 of the Engrossed Bill strike out the balance of the section and insert in lieu thereof the following language:

"Agreements between competing retailers, or the adoption of appropriate rules and regulations by organizations or associations of retailers to provide uniform methods for adding such tax or the average equivalent thereof, and which do not involve price fixing agreements otherwise unlawful, and which shall first have the approval of the commissioner, are expressly authorized and shall be held not to be in violation of any anti-trust laws of this state."

And when so amended recommend the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 175, have had the same under consideration and recommend that the same do pass.

GARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 224, have had the same under consideration and recommend that the same be amended as follows:

On line 7, strike out the words "the same" and insert, in lieu thereof, the words "a certified copy thereof";

Strike out all of lines 11 and 12.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 226, have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE, Chairman.

Senator Shure moved that the report be adopted.

Senator Pyle made a substitute motion that House Bill No. 226 be placed upon the calendar, which motion prevailed.

Mr. President: Your Committee on Education to whom

was referred House Bill No. 254, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 264, have had the same under consideration and recommend that the same be amended as follows:

In the first line of the title strike out "15-5314 and"

In line four of the title strike out "to be submitted to the state committee"

Strike out lines 1 to 47, inclusive.

In line 48 change "Section 2" to "Section 1"

Renumber the lines.

And when so amended recommend the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the committee report on House Bill No. 264 be laid over one legislative day, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 271, have had the same under consideration and recommend that the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 277, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 279, have had the same under consideration and recommend that the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 284, have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the title add the letter "s" to the word "Act".

In line 8 of the title add the letter "s" to the word "Act".

In line 19 add the letter "s" to the word "Act".

And when so amended recommend the same do pass.

A. J. SANDNESS, Chairman.

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 310, have had the same under consideration and recommend that the same be indefinitely postponed.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to

whom was referred House Bill No. 314, have had the same under consideration and recommend that the same be amended as follows:

In line ten strike out the word "sixty" and in lieu thereof insert the word "fifty".

In line twelve strike out the word "forty-five" and in lieu thereof insert the word "thirty seven & 50/100"

And when so amended recommend the same do pass.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Labor Relations to whom was referred House Bill No. 330, have had the same under consideration and recommend that the same be placed on the calendar without further recommendation.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Social Welfare to whom was referred House Concurrent Resolution "M", have had the same under consideration and recommend that the same be indefinitely postponed.

MELVIN OLSON, Chairman.

Senator Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 25, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 127
House Bill No. 140
House Bill No. 168
House Bill No. 217
House Bill No. 218
House Bill No. 228
House Bill No. 231
House Bill No. 242
House Bill No. 245
House Bill No. 248
House Bill No. 249
House Bill No. 262
House Bill No. 265
House Bill No. 307
House Bill No. 334
House Bill No. 337
House Bill No. 338
House Bill No. 339
House Bill No. 340
House Bill No. 347

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 25, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 273

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 25, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 318

House Concurrent Resolution "X"

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

CONSIDERATION OF AMENDMENTS

Senator Solberg moved that the amendments to House Bill No. 5 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 61 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 65 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 66 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 67 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 70 be adopted, which motion prevailed.

Senator Sandness moved that the amendments to House Bill No. 183 be adopted, which motion prevailed.

Senator Flatt moved that the amendments to House Bill No. 195 be adopted, which motion prevailed.

Senator Flatt moved that the amendments to House Bill No. 204 be adopted, which motion prevailed.

Senator Sandness moved that the amendments to House Bill No. 282 be adopted, which motion prevailed.

Senator Rue moved that the amendments to House Bill No. 288 be adopted, which motion prevailed.

Senator Shure moved that the amendments to House Bill No. 344 be adopted, which motion prevailed.

Senator Flatt moved that the amendments to House Concurrent Resolution "Y" be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Streibel moved that the Senate do concur in the House amendments to Senate Bill No. 96, which motion prevailed.

Senator Streibel moved that the rules be suspended and that Senate Bill No. 96 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 96

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder

Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Absent and not voting:

Nordhougen

So the bill passed and the title was agreed to.

Senator Day moved that the Senate do concur in the House amendments to Senate Bill No. 192, which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 192 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 192

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Absent and not voting:

Nordhougen

So the bill passed and the title was agreed to.

Senator Olson of Barnes moved that the Senate do concur in the House amendment to Senate Bill No. 226, which motion prevailed.

Senator Olson of Barnes moved that the rules be suspended and that Senate Bill No. 226 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 226

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

So the bill passed and the title was agreed to.

Senator Strand moved that after the reading of House Bills Nos. 55, 80, 203, 309, 343, and House Concurrent Resolution "W", the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

The Senate was on the eighth order of business.

Senator Brant moved that the House be requested to return House Bill No. 162, which motion prevailed.

Senator Day moved that the House be requested to return House Bill No. 265, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Page moved that the Senate return Senate Bill No. 39 to the House as requested, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 247

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Krenz	Schrock
Bilden	Leno	Schoeder
Bjorlie	Lichty	Shure
Blume	Lynch	Solberg
Brant	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff

Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath	Sandness	

Absent and not voting:

Braun	Mehlhoff	Olson, Barnes
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 287

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 29; nays, 17; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Fraser	Solberg
Bilden	Leno	Spiekermeier
Bjorlie	Lynch	Streibel
Brant	Nelson, McKenzie	Stucke
Bridston	Nordhougen	Tuff
Brunsdale	Olson, Mountrail	Wahlund
Coghlan	Pyle	Welander
Day	Reinke	Wolf
Feton	Schrock	Work
Flatt	Schoeder	

Those voting in the negative were:

Blume	Lichty	Page
Duffy	Mehlhoff	Rue
Foss	Morgan	Sandness
Freed	Nelson, Griggs-	Shure
Kamrath	Steele	Strand
Krenz	O'Brien	Torno

Absent and not voting:

Braun	Olson, Barnes	Troxel
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So the bill passed and the title was agreed to.

House Bill No. 336

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Shure
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander

Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Those voting in the negative were:

Morgan	Solberg
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Absent and not voting:

Braun	Troxel
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So the bill passed and the title was agreed to.

House Bill No. 342

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Brant	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Streibel
Feton	Nordhougen	Stucke
Flatt	O'Brien	Torno
Foss	Olson, Mountrail	Tuff
Fraser	Olson, Barnes	Wahlund
Freed	Page	Welander
Kamrath	Pyle	Wolf
Krenz	Reinke	Work

Those voting in the negative were:

Bridston	Duffy	Roe
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Absent and not voting:

Braun	Troxel
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Concurrent Resolution "Q"

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 40; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Lichty	Schoeder
Bilden	Lynch	Shure
Bjorlie	Mehlhoff	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	O'Brien	Stucke
Flatt	Olson, Mountrail	Torno
Feton	Olson, Barnes	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Wolf

Krenz	Sandness	Work
Leno	Schrock	
Those voting in the negative were:		
Brant	Foss	Nordhougen
Duffy	Morgan	Page
Absent and not voting:		
Blume	Braun	Troxel

So the resolution passed and the title was agreed to.
House Concurrent Resolution "T"
Which has been read.

Senator Brunsdale moved that House Concurrent Resolution "T" be adopted.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:		
Albers	Kamrath	Pyle
Bilden	Krenz	Reinke
Bjorlie	Leno	Rue
Blume	Lichty	Sandness
Brant	Lynch	Schrock
Bridston	Mehlhaff	Schoeder
Brunsdale	Morgan	Shure
Coghlan	Nelson, McKenzie	Solberg
Day	Nelson, Griggs-	Spiekermeier
Duffy	Steele	Streibel
Feton	Nordhougen	Tuff
Flatt	O'Brien	Wahlund
Foss	Olson, Mountrail	Welander
Fraser	Olson, Barnes	Wolf
Freed	Page	Work

Those voting in the negative were:
Torno

Absent and not voting:		
Braun	Stucke	Troxel
Strand		

So the resolution passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No.	5
Senate Bill No.	6
Senate Bill No.	7
Senate Bill No.	8
Senate Bill No.	26
Senate Bill No.	31
Senate Bill No.	36
Senate Bill No.	65
Senate Bill No.	67
Senate Bill No.	132
Senate Bill No.	134
Senate Bill No.	170
Senate Bill No.	185

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: A majority of your Committee on Judiciary to whom was referred House Bill No. 108, have had the same under consideration and recommend that the same be indefinitely postponed.

O. E. BILDEN
S. C. NELSON
W. J. BRAUN
JOS. SPIEKERMEIER
EDWARD LENO
R. H. LYNCH
IVER SOLBERG
CLYDE DUFFY
W. H. SHURE
DUNCAN FRASER
CARROLL E. DAY

CARROLL E. DAY, Chairman.

Mr. President: A minority of your Committee on Judiciary to whom was referred House Bill No. 108, have had the same under consideration and recommend that the same do pass.

EMIL TORNO
FRANK ALBERS
FRANKLIN PAGE
G. I. FETON

CARROLL E. DAY, Chairman.

Senator Day moved that the majority report be adopted.

Senator Torno made a substitute motion that the minority report be adopted in lieu of the majority report, which motion was declared lost.

The question was on the motion of Senator Day that the majority report on House Bill No. 108, be adopted, which motion prevailed.

Senator Day: Mr. President: I stood before this body two years ago and represented to you that if this bill were enacted into law that certain things could be done. Those things have not yet been done because the act has been threatened with litigation and with repeal and the Board felt, under the circumstances, they should not embark upon a program until the matter was settled. We are now advised, and I represent to you, that if this act is continued for another two years the Bar Association will spend money for several particular purposes. The majority amount will be spent on an educational program in the State of North Dakota. Radio and newspaper facilities will be used to educate the general public on matters pertaining to law and legislation that the public is particularly interested in. Such educational activities will be in the way of free advice to the people at large on matters pertaining to their special interests. In addition to that some money will be spent in aiding the Legislative Research Committee in its research and legislative work. In addition to that the program originally outlined two years ago attacking the problems of reorganizing the Judicial system for the better administration of justice for our people, will be financed by this fund through the Judicial council. This fund and this money will be used for public purposes and not for the direct benefit of the lawyers.

Senator Torno: Mr. President. This bar association fee bill of 1947 should be repealed for the following reasons:

1. It is palpably unconstitutional;
2. It is indefensible and immoral.

It is unconstitutional because it deprives people of their money without due process of law.

It is indefensible and wrong because it takes money out of the pockets of one group of people, namely, litigants in court including widows and orphans in county court, and hands it over to the bar association.

It forces people who are not members of the bar association to contribute to its funds. It is a disgrace to the lawyers.

It is on a par with forcing, by legislative fiat, members of one church to make contributions to another church. It is on a par with forcing members of one political group to make contributions to the funds of another political group.

The lawyers are the only group who have this kind of a law. The medical association hasn't got it; the Farmers' Union hasn't got it; the labor organization unions haven't got it; neither have the ministers got it.

There is no other state which has it, except there is a weak claim that California has it. California is no model state from which to copy any law. They have a gigolo law out there which permits a male to recover from a female for entertaining her. This bar fee law is on the same moral level as the California gigolo law.

The supporters of this fee law claim it is for the benefit of the people, that the bar association will use it to educate the people. Well, we have schools and universities to educate our people. Such an argument is on a par with a farm organization or a labor organization to say that they are going to educate the people. The supporters also say that they want to use these funds to educate the legislature. Well, from our experience here, we get plenty of education from the lawyers without paying anything for it.

Supporters of this fee law also claim they need the money to discipline the lawyers. Well, we have county jails and the penitentiary for that. It is ridiculous to have a member of any gang to discipline the gang. If they need to be disciplined, let us appoint the Highway Patrol for that.

We should be consistent. If we force people to contribute to the bar association and to pay dues, then these people who pay should automatically be made members of the bar association. Such would automatically make the contributors lawyers, then the people could handle their own law business.

The lawyers are the last group on earth who should try to keep such a vicious statute on our books, because it is a deadly and dangerous precedent. Suppose, in the future, the Legislature should get the idea to levy a head tax of \$100.00 a year on every lawyer, and that the proceeds should go into the funds of the Farmers' Union. I wonder what the lawyers would think about that?

Now I hold no brief against lawyers. They belong to a noble profession. The lawyers we have in this Senate are high-class men. I hate to see them keep a black stain on their names by keeping this pocket-picking law on the statute books, for their benefit.

The people of this state have not all heard about this law yet. When they do, I feel sorry for the lawyers, especially those lawyers who are my personal friends. Therefore, I say

we should save the lawyers by wiping from our Code this black statute.

SECOND READING OF HOUSE BILLS

House Bill No. 55

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Lichty	Sandness
Bjorlie	Lynch	Schrock
Blume	Mehlhaff	Schoeder
Brant	Morgan	Shure
Bridston	Nelson, McKenzie	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Streibel
Day	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work
Leno		

Absent and not voting:

Bilden	Freed	Strand
Braun		

So the bill passed and the title was agreed to.

House Bill No. 80

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 12; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Morgan	Schoeder
Bjorlie	Nelson, McKenzie	Shure
Blume	Nelson, Griggs-	Solberg
Brant	Steele	Strand
Bridston	Nordhougen	Streibel
Brunsdale	O'Brien	Stucke
Coghlan	Olson, Mountrail	Torno
Duffy	Olson, Barnes	Tuff
Foss	Reinke	Wahlund
Fraser	Rue	Welander
Kamrath	Schrock	Wolf
Lichty		

Those voting in the negative were:

Day	Leno	Sandness
Feton	Mehlhaff	Spiekermeier
Flatt	Page	Troxel
Krenz	Pyle	Work

Absent and not voting:

Bilden Freed Lynch
Braun

So the bill passed and the title was agreed to.

House Bill No. 203

Which has been read.

Senator Flatt moved that House Bill No. 203 be laid over one legislative day, which motion prevailed.

House Bill No. 309

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 20 ;nays, 26; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Morgan	Streibel
Bilden	Nelson, McKenzie	Torno
Bjorlie	O'Brien	Troxel
Fraser	Olson, Mountrail	Tuff
Kamrath	Page	Wahlund
Leno	Schrock	Welander
Lichty	Solberg	

Those voting in the negative were:

Blume	Freed	Rue
Brant	Krenz	Sandness
Bridston	Mehlhoff	Schoeder
Brunsdale	Nelson, Griggs-	Shure
Day	Steele	Spiekermeier
Duffy	Nordhougen	Strand
Feton	Olson, Barnes	Stucke
Flatt	Pyle	Wolf
Foss	Reinke	Work

Absent and not voting:

Braun Coghlan Lynch

So the bill was declared lost.

Senator Bridston moved that the vote by which House Bill No. 309 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 343

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 14; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Freed	Pyle
Blume	Kamrath	Reinke
Brant	Krenz	Rue
Bridston	Lichty	Sandness
Brunsdale	Mehlhoff	Schrock
Coghlan	Morgan	Shure
Day	Nelson, Griggs-	Spiekermeier
Duffy	Steele	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Barnes	Tuff

Foss	Page	Work
Fraser		
Those voting in the negative were:		
Albers	Olson, Mountrail	Stucke
Bjorlie	Schoeder	Wahlund
Leno	Solberg	Welander
Nelson, McKenzie	Strand	Wolf
Nordhougen	Streibel	

Absent and not voting:

Braun	Lynch
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Concurrent Resolution "W"

Which has been read.

Senator Flatt moved that House Concurrent Resolution "W" be adopted, which motion prevailed.

House Concurrent Resolution "L"

Which has been read.

Senator Brunsdale moved that House Concurrent Resolution "L" be indefinitely postponed.

Senator Albers made a substitute motion that House Concurrent Resolution "L" be laid over one legislative day, which motion prevailed.

House Concurrent Resolution "P"

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 11; nays, 34; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Flatt	Rue
Bilden	Foss	Spiekermeier
Bjorlie	Fraser	Welander
Blume	Lichty	

Those voting in the negative were:

Brant	Morgan	Schrock
Bridston	Nelson, McKenzie	Schoeder
Brunsdale	Nelson, Griggs-	Shure
Coghlan	Steele	Solberg
Day	Nordhougen	Strand
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Freed	Olson, Barnes	Tuff
Kamrath	Page	Wahlund
Krenz	Pyle	Wolf
Leno	Reinke	Work
Mehlhoff	Sandness	

Absent and not voting:

Braun	Streibel	Stucke
Lynch		

So the resolution was declared lost for lack of a constitutional majority.

Senator Brunsdale moved that the Senate do now recess until 1:00 p.m., February 26, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-THIRD DAY AFTER RECESS
AND FIFTY-FOURTH DAY

Bismarck, February 26, 1949

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

The Senate was on the eighth order of business.

Senator Brunsdale moved that the Senate recess until the call of the chair, which motion prevailed.

The Senate reconvened pursuant to the call of the chair, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 5
Senate Bill No. 6
Senate Bill No. 7
Senate Bill No. 8
Senate Bill No. 26
Senate Bill No. 31
Senate Bill No. 35
Senate Bill No. 36
Senate Bill No. 57
Senate Bill No. 58
Senate Bill No. 59
Senate Bill No. 65
Senate Bill No. 67
Senate Bill No. 73
Senate Bill No. 92
Senate Bill No. 95
Senate Bill No. 103
Senate Bill No. 105
Senate Bill No. 132
Senate Bill No. 134
Senate Bill No. 143
Senate Bill No. 146
Senate Bill No. 165
Senate Bill No. 168
Senate Bill No. 170
Senate Bill No. 185
Senate Concurrent Resolution "B"
Senate Memorial Resolution "B"

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 6
 House Bill No. 167
 House Bill No. 169
 House Bill No. 170
 House Bill No. 187
 House Bill No. 210
 House Bill No. 239
 House Joint Memorial Resolution "A"

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber
 Bismarck, February 26, 1949

Mr. Speaker: I have the honor to inform you that the Senate asks the return of House Bills No. 162 and No. 265.

W. J. TROUT, Secretary.

Senate Chamber
 Bismarck, February 26, 1949

Mr. Speaker: I have the honor to return Senate Bill No. 39, which the House has requested.

W. J. TROUT, Secretary.

Senate Chamber
 Bismarck, February 26, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 5
 Senate Bill No. 6
 Senate Bill No. 7
 Senate Bill No. 8
 Senate Bill No. 26
 Senate Bill No. 31
 Senate Bill No. 35
 Senate Bill No. 36
 Senate Bill No. 57
 Senate Bill No. 58
 Senate Bill No. 59
 Senate Bill No. 65
 Senate Bill No. 67
 Senate Bill No. 73
 Senate Bill No. 92
 Senate Bill No. 95
 Senate Bill No. 103
 Senate Bill No. 105
 Senate Bill No. 132
 Senate Bill No. 134
 Senate Bill No. 143
 Senate Bill No. 146
 Senate Bill No. 165
 Senate Bill No. 168
 Senate Bill No. 170
 Senate Bill No. 185
 Senate Concurrent Resolution "B"
 Senate Memorial Resolution "B"

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 113, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 115, have had the same under consideration and recommend that the same be indefinitely postponed.

MILTON RUE, Chairman.

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 172, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 173, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 177, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 220, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 223, have had the same under consideration and recommend that the same be amended as follows:

On Line 13 of the engrossed bill, strike out the word "to" and insert, in lieu thereof, the word "shall";

On Line 15 of the engrossed bill, strike out the word "to" and insert, in lieu thereof, the word "shall";

On Line 15 of the engrossed bill, strike out the comma, insert a period, in lieu thereof, and capitalize the word "a".

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 250, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 253, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 324, have had the same under consideration and recommend that the same be amended as follows:

On Line 31, strike out the comma following the word "jail" and strike out the balance of the line.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Labor Relations to whom was referred House Bill No. 331, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

P. L. FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 26, 1949

Mr. President: I have the honor to return:

Senate Bill No. 50, which the House has amended as follows:

In line 18 after the word "large" insert "or by geographic areas"

In line 32 strike out the words "at large"

After line 55 insert the following: "When the assessed taxable valuation of the rural area of a common school district, containing an incorporated city or village is greater than the assessed taxable valuation of the urban area of the district, the majority of the members of the board of directors shall reside upon farms, outside the corporate limits of the village or city."

In line 66 strike out the following: "Subsection 5 of"

In line 67 capitalize "S" in the word "section"

Strike out all of lines 77 to 83, inclusive, and insert the following:

1. A map showing the boundaries of established school districts and the boundaries proposed under any plan for

the reorganization of school districts, prepared and submitted in compliance with the provisions of this Act;

2. A description of the boundaries aforementioned;
3. Recommendations respecting the location of schools, the utilization of existing buildings, the construction of new buildings, including dormitories, and the transportation requirements under the proposed plan for the reorganization of school districts. **Such recommendations shall not be binding upon such proposed school districts except as otherwise provided by law;**
4. A summary of the reasons for such proposed reorganization of school districts;
5. Recommendations specifying whether such reorganized districts shall be **common school districts with three directors, common school districts with five directors to be elected at large, common school districts with five directors to be elected from designated geographic areas,** or special school districts which classification shall be based upon and subject to the laws existing in regard thereto; and
6. Such other reports, records and materials as the state committee may require.

If any difficulties are encountered by a county committee in formulating such comprehensive plan for the reorganization of school districts so that such plan will be unable to be submitted to the state committee within the time specified in this section, such county committee may make an application to the state committee for an extension of time in which to submit such comprehensive plan. The state committee, in its discretion and if the facts and circumstances warrant, may grant extension as it may see fit ((; provided, however, that in no case shall such extension be for a longer period than six months)).

In line 3 of the title strike out "subsection 5 of"

Renumber the lines.

Senate Bill No. 87, which the House has amended as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

For an Act providing for survival of causes of action.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA: SECTION 1.) "Actions for personal injuries or for wrongful death, and all damages resulting therefrom, including doctors, nurses, hospital, and medical expense, shall not abate upon the death of the wrongdoer, but shall survive, and may be maintained against the estate of the wrongdoer, provided however, if the injured party shall die, there shall be but one action which shall be for wrongful death and which shall be governed by the laws of this state applicable to such class of actions."

Renumber lines accordingly.

Senate Bill No. 110, which the House has amended as follows:

In the title of the Bill strike out the "period" and insert a "comma" and the following words: "and declaring an emergency." In line 8 strike out the "period" and add the following words: "for the biennium ending June 30, 1949."

Senate Bill No. 117, which the House has amended as follows:

At the end of line 13, strike out the period and insert a semi-colon and then add the following language: "provided, however, that ledger sheets showing unpaid balances in favor of depositors shall not be destroyed and nothing in this act shall be construed as limiting the time when actions may be brought to recover such balances."

Renumber the lines accordingly.

Senate Bill No. 167, which the House has amended as follows:

In the second line of the title strike out the abbreviations "N.D." and insert in lieu thereof "the North Dakota".

Senate Bill No. 195, which the House has amended as follows:

In the title of the bill strike out the "period" and insert a "Comma" and the following words: "and declaring an emergency."

In line 6 strike out the "period" and add the following: "for the biennium ending June 30, 1949."

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 26, 1949

Mr. President: I have the honor to return:

House Bill No. 162

House Bill No. 265

Which the Senate has requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 26, 1949

Mr. President: I have the honor to request the return of:

Senate Bill No. 93

Senate Bill No. 225

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 26, 1949

Mr. President: I have the honor to request the return of:

Senate Bill No. 125

Which was messaged over in error.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 26, 1949

Mr. President: I have the honor to return:

Senate Bill No. 169

Senate Bill No. 208

Senate Bill No. 209

Senate Bill No. 229

Senate Bill No. 233

Senate Concurrent Resolution "A"

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 26, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 32.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 26, 1949

Mr. President: I have the honor to return:

Senate Bill No. 15

Which the House has indefinitely postponed.

GEORGE OLSON, Chief Clerk.

The Senate was on the eighth order of business.

Senator Day moved that House Bill No. 158 be re-referred to the Committee on State and Federal Government, which motion prevailed.

COMMUNICATIONS

A communication was presented from the Joe Wicks family thanking the Senate and employees for the memoriam given in memory of their daughter, Katharine Anne Wicks.

Senator Nordhougen moved that this communication be printed in the journal, which motion prevailed.

February 22, 1949

Lt. Governor C. P. Dahl
Senate Chambers
Bismarck, N. Dak.

Dear Mr. Dahl,

We wish to thank all the members of the Senate, and employees, for their beautiful floral offering, and memorial fund, which was given in behalf of our dear little departed daughter and sister, Katharine Anne Wicks.

The memorial fund has been gratefully received by the St. Elizabeth Catholic Mission at Cannonball, N. Dak.

Sincerely,

JOSEPH WICKS
MARCELLA WICKS
JOEY WICKS
CHASKE F. WICKS

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-FOURTH DAY

Bismarck, February 26, 1949

The Senate convened at 2:00 P. M., the President presiding.

Prayers were offered by Merle Loudon of Cooperstown; Richard Fletcher of Fargo; and Gerald Thompson of Lisbon, of the State Training School at Mandan, with Rev. E. D. Murdoch of Mandan in charge.

Roll Call: All Senators present except Senators Albers and Freed.

A quorum was declared present by the President.

Senator Bridston moved that the prayers and the names of the participants be printed in the journal, which motion prevailed.

Merle Loudon: "O God, by whom the meek are guided in judgment, and light riseth up in darkness for the godly; Grant us, in all our doubts and uncertainties, the grace to ask what thou wouldest have us to do, that the Spirit of Wisdom may save us from all false choices, and that in thy light we may see light, and in thy straight path may not stumble; through Jesus Christ our Lord.

Richard Fletcher: Almighty God, who has given us grace at this time with one accord to make our common supplications unto thee; and dost promise that when two or three are gathered together in thy Name thou wilt grant their request; Fulfill now, O Lord, the desires and petitions of thy servants, as may be most expedient for them; granting us in this world knowledge of thy truth, and in the world to come life everlasting.

Gerald Thompson: O God, the fountain of wisdom, whose statutes are good and gracious and whose law is truth; We beseech thee so to guide and bless the Legislature of this State, that it may ordain for our governance only such things as please thee, to the glory of thy Name and the welfare of the people; through Jesus Christ, thy Son, our Lord. Amen.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-second Day After Recess and Fifty-third Day and recommend that the same be corrected as follows:

Page 639, line 24, strike out the word "transmit" and insert in lieu thereof the word "return".

Page 644, line 25, strike out the word "hour", and in the last line on page 644 after the word "adopted", strike out the period and insert a comma and the following language: "which was for indefinite postponement."

Page 648, line 35, strike out the period after the word "adopted" and insert a comma and the following language: "which motion prevailed."

Page 653, line 10, correct the spelling of the word "Concurrent", and in line 12 correct the spelling of the word "Concurrent."

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 26, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 55
House Bill No. 80
House Bill No. 133
House Bill No. 137
House Bill No. 138

House Bill No. 139
House Bill No. 191
House Bill No. 202
House Bill No. 236
House Bill No. 336
House Bill No. 343
House Concurrent Resolution "T"
House Concurrent Resolution "W"

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 26, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 77
House Bill No. 78
House Bill No. 79
House Bill No. 109
House Bill No. 134
House Bill No. 182
House Bill No. 247
House Bill No. 287
House Bill No. 342
House Concurrent Resolution "Q"

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 26, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 108
House Bill No. 121
House Bill No. 135
House Bill No. 309
House Bill No. 310
House Concurrent Resolution "M"
House Concurrent Resolution "P"

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 3
Senate Bill No. 44
Senate Bill No. 62
Senate Bill No. 89
Senate Bill No. 90
Senate Bill No. 96
Senate Bill No. 130
Senate Bill No. 131
Senate Bill No. 142
Senate Bill No. 145
Senate Bill No. 151
Senate Bill No. 183
Senate Bill No. 187
Senate Bill No. 194

Senate Bill No. 211
 Senate Bill No. 212
 Senate Bill No. 213
 Senate Bill No. 217
 Senate Bill No. 231
 Senate Bill No. 234
 Senate Bill No. 236
 Senate Bill No. 240
 Senate Bill No. 242
 Senate Memorial Resolution "A"
 Senate Concurrent Resolution "M"

/ And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Sandness moved that the committee report on House Bill No. 264 be adopted, which motion prevailed.

Senator Flatt requested that the Senate be on the eighth order of business, which request was granted.

Senator Flatt moved that the Committee on Judiciary be requested to bring in House Bill No. 335 for consideration, which motion was declared lost.

Senator Day requested that the Senate be on the fifth order of business, which request was granted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 335, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion was declared lost and House Bill No. 335 is thereby placed on the calendar.

CONSIDERATION OF AMENDMENTS

Senator Brant moved that the amendments to House Bill No. 21 be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 63 be adopted, which motion prevailed.

Senator Brant moved that the amendments to House Bill No. 163 be adopted, which motion prevailed.

Senator Day moved that the amendments to House Bill No. 224 be adopted, which motion prevailed.

Senator Sandness moved that the amendments to House Bill No. 284 be adopted, which motion prevailed.

Senator Olson of Barnes moved that the amendments to House Bill No. 314 be adopted, which motion prevailed.

The Senate was on the 8th order of business.

Senator Brunsdale moved that Senate Bills No. 93, 225 and 125 be returned to the House as requested, which motion prevailed.

Senator Stucke moved that the House be requested to return House Bill No. 309, which motion prevailed.

Senator Brant moved that the Senate reconsider its action on House Bill No. 162, which motion prevailed.

Senator Brant moved that House Bill No. 162 be placed on the calendar, which motion prevailed.

Senator Brant moved that House Bill No. 162 be amended as follows: "In the engrossed bill, at the end of line 59, add the words "or Community", which motion prevailed.

Senator Brant moved that the rules be suspended and that House Bill No. 162 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 162

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Kamrath	Rue	Work
Krenz	Sandness	

Absent and not voting:

Albers Freed Nelson, McKenzie

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 26, 1949

Mr. Speaker: I have the honor to return:

Senate Bill No. 93

Senate Bill No. 125

Senate Bill No. 225

Which the House has requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 26, 1949

Mr. Speaker: I have the honor to request the return of House Bill No. 309 for reconsideration.

W. J. TROUT, Secretary.

The Senate was on the eighth order of business.

Senator Day moved that the Senate reconsider the action by which House Bill No. 265 was passed, which motion prevailed.

Senator Day moved that House Bill No. 265 be placed at the head of the calendar, which motion prevailed.

Senator Day moved that House Bill No. 265 be indefinitely postponed, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sandness moved that the House amendments to Senate Bill No. 50 be laid over until Monday, which motion prevailed.

Senator Day moved that the Senate do not concur in the House amendment to Senate Bill No. 87, and that a Conference Committee be adopted, which motion prevailed.

The President appointed as such Conference Committee on Senate Bill No. 87, Senators Day, Duffy and Solberg.

The Senate was on the 8th order of business.

Senator Strand moved that after the reading of House Bills Nos. 5, 61, 65, 66, 67, 70, 126, 156, 175, 195, 203, 204, 226, 254, 271, 277, 279, 282, 288, 330, 344, House Concurrent Resolutions "L" and "Y", the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 26, 1949

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 87, and the President has appointed as a conference committee to act with a like committee from the House, Senators: Day, Duffy and Solberg.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 26, 1949

Mr. President: I have the honor to return:

House Bill No. 309

Which the Senate has requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 26, 1949

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. 87, Reps. Graham, Bubel and Holand.

GEORGE OLSON, Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 110, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 110 be deemed properly re-engrossed and placed upon second reading and final passage as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 110.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Shure
Bridston	Mehlhoff	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	O'Brien	Strand
Day	Olson, Mountrail	Streibel
Duffy	Olson, Barnes	Torno
Feton	Page	Tuff
Flatt	Pyle	Wahlund
Foss	Reinke	Wolf
Fraser	Rue	Work
Kamrath		

Absent and not voting:

Albers	Nelson, Griggs-	Stucke
Bjorlie	Steele	Troxel
Freed	Nordhougen	Welande
Nelson, McKenzie		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Rue moved that the Senate do concur in the House amendments to Senate Bill No. 117, which motion prevailed.

Senator Rue moved that the rules be suspended and that Senate Bill No. 117 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, by the House, which motion prevailed.

Senate Bill No. 117.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Blume	Leno	Schoeder
Brant	Lichty	Shure
Braun	Lynch	Solberg
Bridston	Mehlhoff	Spiekermeier
Brunsdale	Morgan	Strand
Coghlan	Nordhougen	Streibel
Day	O'Brien	Torno
Duffy	Olson Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Wolf
Fraser	Reinke	Work
Kamrath	Rue	

Absent and not voting:

Albers	Nelson, McKenzie	Sandness
Bjorlie	Nelson, Griggs-	Stucke
Freed	Steele	Welander

So the bill passed and the title was agreed to.

Senator Flatt moved that the Senate do concur in the House amendments to Senate Bill No. 167, which motion prevailed.

Senator Flatt moved that the rules be suspended and that Senate Bill No. 167 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 167

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Rue	

Absent and not voting:

Albers	Freed	Sandness
Bjorlie	Nelson, McKenzie	Welander

So the bill passed and the title was agreed to.

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 195, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 195 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 195

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Blume	Leno	Rue
Brant	Lichty	Schrock

Braun	Lynch	Schoeder
Bridston	Mehlhoff	Shure
Brunsdale	Morgan	Solberg
Coghlan	Nelson, Griggs-	Spiekermeier
Day	Steele	Strand
Duffy	Nordhougen	Streibel
Feton	O'Brien	Torno
Flatt	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Kamrath	Pyle	Wolf
Krenz	Reinke	Work

Absent and not voting:

Albers	Freed	Stucke
Bilden	Nelson, McKenzie	Welander
Bjorlie	Sandness	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE BILLS

House Bill No. 5.

Which has been read.

Senator Flatt moved that House Bill No. 5 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 61.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Leno	Rue
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nordhougen	Streibel
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Kamrath	Pyle	Wolf
Krenz	Reinke	Work

Absent and not voting:

Albers	Freed	Stucke
Bjorlie	Nelson, McKenzie	Welander
Foss	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 65.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Bilden	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhaff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Fraser	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Rue	

Absent and not voting:

Albers	Freed	Sandness
Bjorlie	Nelson, McKenzie	Stucke
Foss	Nordhougen	Welanders

So the bill passed and the title was agreed to.

House Bill No. 66

Which has been read.

Senator Morgan moved that House Bill No. 66 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 67

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Leno	Rue
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhaff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nordhougen	Streibel
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Kamrath	Pyle	Wolf
Krenz	Reinke	Work

Absent and not voting:

Albers	Freed	Stucke
Bjorlie	Nelson, McKenzie	Welanders
Foss	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 70

Which has been read.

ROLL CALL

The question being on the final passage of the bill,

as amended, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Shure
Braun	Morgan	Solberg
Bridston	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nordhougen	Streibel
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Kamrath	Pyle	Wolf
Krenz	Reinke	Work
Leno	Rue	

Those voting in the negative were:

Day

Absent and not voting:

Albers	Freed	Stucke
Bjorlie	Nelson, McKenzie	Welander
Foss	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 126.

Which has been read.

Senator Duffy moved that House Bill No. 126 be amended as follows: In lines 10, 11, 12, 17 and 22, the parenthesis be removed and brackets substituted, which motion prevailed.

Senator Duffy moved that the rules be suspended and that House Bill No. 126 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays 2; absent and not voting 7.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Shure
Bridston	Mehlhoff	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Streibel
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Wolf
Fraser	Pyle	Work
Kamrath	Reinke	

Those voting in the negative were:

Morgan Strand

Absent and not voting:

Albers	Nelson, McKenzie	Stucke
--------	------------------	--------

Bjorlie Sandness Welander
 Freed
 So the bill passed and the title was agreed to.
 House Bill No. 156.
 Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays 1; absent and not voting 8.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Blume	Leno	Schoeder
Brant	Lichty	Shure
Braun	Lynch	Solberg
Bridston	Mehlhoff	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Wolf
Fraser	Pyle	Work
Kamrath	Reinke	

Those voting in the negative were:

Schrock

Absent and not voting:

Albers	Morgan	Stucke
Bjorlie	Nelson, McKenzie	Welander
Freed	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 175.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays 4; absent and not voting 8.

Those voting in the affirmative were:

Blume	Leno	Schrock
Brant	Lichty	Schoeder
Braun	Lynch	Shure
Bridston	Mehlhoff	Solberg
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	O'Brien	Torno
Duffy	Olson Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Rue	

Those voting in the negative were:

Bilden	Nordhougen	Spiekermeier
Flatt		

Absent and not voting:

Albers	Morgan	Stucke
Bjorlie	Nelson, McKenzie	Welandet
Freed	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 195

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Leno	Rue
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nordhousen	Streibel
Duffy	O'Brien	Torne
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Kamrath	Pyle	Wolf
Krenz	Reinke	Work

Absent and not voting:

Albers	Freed	Stucke
Bjorlie	Nelson, McKenzie	Welandet
Foss	Sandness	

So the bill passed and the title was agreed to.

House Bill No. 208

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Leno	Rue
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nordhousen	Streibel
Duffy	O'Brien	Torne
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Wolf
Kamrath	Reinke	Work
Krenz		

Absent and not voting:

Albers	Nelson, McKenzie	Stucke
Bjorlie	Sandness	Welander
Freed		

So the bill passed and the title was agreed to.

House Bill No. 204

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Brant	Leno	Schrock
Braun	Lichty	Schoeder
Bridston	Mehlhoff	Shure
Brunsdale	Morgan	Solberg
Coghlan	Nelson, Griggs-	Spiekermeier
Day	Steele	Strand
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Barnes	Wahlund
Foss	Page	Wolf
Fraser	Pyle	Work
Kamrath	Reinke	

Those voting in the negative were:

Blume	Olson, Mountrail	Tuff
Lynch	Streibel	

Absent and not voting:

Albers	Nelson, McKenzie	Stucke
Bjorlie	Sandness	Welander
Freed		

So the bill passed and the title was agreed to.

House Bill No. 226

Which has been read.

Senator Pyle moved that House Bill No. 226 be laid over one legislative day, which motion prevailed.

House Bill No. 254

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Leno	Rue
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nordhougen	Streibel
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel

Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Wolf
Kamrath	Reinke	Work
Krenz		

Absent and not voting:

Albers	Nelson, McKenzie	Stucke
Bjorlie	Sandness	Welande
Freed		

So the bill passed and the title was agreed to.

House Bill No. 271

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Leno	Rue
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nordhougen	Streibel
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Wolf
Kamrath	Reinke	Work
Krenz		

Absent and not voting:

Albers	Nelson, McKenzie	Stucke
Bjorlie	Sandness	Welande
Freed		

So the bill passed and the title was agreed to.

House Bill No. 277

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 7; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Lichty	Schoeder
Blume	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Streibel
Coghlan	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Kamrath	Pyle	Wolf
Krenz	Reinke	Work
Leno	Rue	

Those voting in the negative were:

Brant	Morgan	Schrock
Day	Nordhougen	Strand
Duffy		

Absent and not voting:

Albers	Freed	Stucke
Bjorlie	Nelson, McKenzie	Welander
Flatt	Sandness	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 279

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Bilden	Leno	Rue
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nordhougen	Streibel
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Kamrath	Pyle	Wolf
Krenz	Reinke	Work

Absent and not voting:

Albers	Freed	Stucke
Bjorlie	Nelson, McKenzie	Welander
Flatt	Sandness	

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the Senate do now recess until 1:15 p.m., February 28, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-FOURTH DAY AFTER RECESS
AND FIFTY-SIXTH DAY

Bismarck, February 28, 1949

The Senate convened at 1:15 p. m., pursuant to recess taken, the President presiding.

The Senate was on the 13th order of business.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 3
Senate Bill No. 44
Senate Bill No. 62
Senate Bill No. 89
Senate Bill No. 90
Senate Bill No. 96
Senate Bill No. 130
Senate Bill No. 131
Senate Bill No. 142
Senate Bill No. 145
Senate Bill No. 151
Senate Bill No. 183
Senate Bill No. 187
Senate Bill No. 194
Senate Bill No. 211
Senate Bill No. 212
Senate Bill No. 213
Senate Bill No. 217
Senate Bill No. 231
Senate Bill No. 234
Senate Bill No. 236
Senate Bill No. 240
Senate Bill No. 242
Senate Concurrent Resolution "A"
Senate Concurrent Resolution "M"
Senate Concurrent Resolution "N"

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 28, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 3
Senate Bill No. 44

Senate Bill No. 62
 Senate Bill No. 89
 Senate Bill No. 90
 Senate Bill No. 96
 Senate Bill No. 130
 Senate Bill No. 131
 Senate Bill No. 142
 Senate Bill No. 145
 Senate Bill No. 151
 Senate Bill No. 183
 Senate Bill No. 187
 Senate Bill No. 194
 Senate Bill No. 211
 Senate Bill No. 212
 Senate Bill No. 213
 Senate Bill No. 217
 Senate Bill No. 231
 Senate Bill No. 234
 Senate Bill No. 236
 Senate Bill No. 240
 Senate Bill No. 242
 Senate Concurrent Resolution "A"
 Senate Concurrent Resolution "M"
 Senate Concurrent Resolution "N"

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
 Bismarck, February 28, 1949

Mr. President: I have the honor to transmit:

House Bill No. 10
 House Bill No. 58
 House Bill No. 59
 House Bill No. 84
 House Bill No. 85
 House Bill No. 105
 House Bill No. 127
 House Bill No. 140
 House Bill No. 168
 House Bill No. 214
 House Bill No. 218
 House Bill No. 237
 House Bill No. 238
 House Bill No. 319
 House Bill No. 329

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, February 28, 1949

Mr. President: I have the honor to transmit:

House Concurrent Resolution "Z"

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 173

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Stucke
Duffy	Nordhougen	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Albers O'Brien

So the bill passed and the title was agreed to.

The Senate was on the eighth order of business.

Senator Strand moved that the House be requested to return House Bill No. 127, which motion prevailed.

Senator Stucke moved that the Senate reconsider its action in passing House Bill No. 309, which motion was declared lost.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 28, 1949

Mr. Speaker: I have the honor to request the return of House Bill No. 127.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 28, 1949

Mr. President: I have the honor to return:

Senate Bill No. 5
Senate Bill No. 6
Senate Bill No. 7
Senate Bill No. 8
Senate Bill No. 26
Senate Bill No. 31
Senate Bill No. 35
Senate Bill No. 36
Senate Bill No. 57
Senate Bill No. 58
Senate Bill No. 59
Senate Bill No. 65
Senate Bill No. 67

Senate Bill No. 73
 Senate Bill No. 92
 Senate Bill No. 95
 Senate Bill No. 103
 Senate Bill No. 105
 Senate Bill No. 132
 Senate Bill No. 134
 Senate Bill No. 143
 Senate Bill No. 146
 Senate Bill No. 165
 Senate Bill No. 168
 Senate Bill No. 170
 Senate Bill No. 185

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, February 28, 1949

Mr. President: I have the honor to return:

Senate Memorial Resolution "B"
 Senate Concurrent Resolution "B"

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, February 28, 1949

Mr. President: I have the honor to return:

Senate Bill No. 43

Which the House has amended as follows:

In line 117, after the word "of" add the words "big game".
 In line 119, strike out the period and add the following
 "for big game only".

Renumber the lines accordingly.

Senate Bill No. 120

Which the House has amended as follows:

In line 57 after the word "liens" strike out the period,
 insert a comma, and add the following: "excepting employees
 wages".

Renumber the lines accordingly.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, February 28, 1949

Mr. President: I have the honor to return:

Senate Concurrent Resolution "R"
 Senate Bill No. 125

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and En-
 grossment respectfully report that they have examined the
 following bills:

Senate Bill No. 63
 Senate Bill No. 66
 Senate Bill No. 68

Senate Bill No. 70
 Senate Bill No. 72
 Senate Bill No. 77
 Senate Bill No. 97
 Senate Bill No. 99
 Senate Bill No. 110
 Senate Bill No. 117
 Senate Bill No. 167
 Senate Bill No. 169
 Senate Bill No. 184
 Senate Bill No. 192
 Senate Bill No. 195
 Senate Bill No. 208
 Senate Bill No. 209
 Senate Bill No. 226
 Senate Bill No. 229
 Senate Bill No. 233
 Senate Resolution No. 3
 Senate Concurrent Resolution "A"
 Senate Concurrent Resolution "E"
 Senate Concurrent Resolution "I"

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 44, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 45, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 54, have had the same under consideration and recommend that the same be amended as follows:

In line 28 strike out the figure \$2,000.00 and insert the figure \$4,000.00 in lieu thereof.

In line 31 for Total strike out the figure \$44,600.00 and insert the figure \$46,600.00 in lieu thereof.

In line 76 strike out the figure \$7,253.20 and insert the figure \$8,753.20 in lieu thereof.

In line 82 for Total strike out the figure \$36,889.20 and insert the figure \$38,389.20 in lieu thereof.

Strike out all of line 119 and renumber the lines accordingly.

In line 120 for Total strike out the figure \$146,100.00 and insert the figure \$126,100.00 in lieu thereof.

In line 123 strike out the figure \$9,600.00 and insert the figure \$16,000.00 in lieu thereof.

In line 131 for Total strike out the figure \$26,700.00 and insert the figure \$33,100.00 in lieu thereof.

In line 140 strike out the figure \$2,000.00 and insert the figure \$2,500.00 in lieu thereof.

In line 143 for Total strike out the figure \$95,000.00 and insert the figure \$95,500.00 in lieu thereof.

In line 150 strike out the figure \$8,500.00 and insert the figure \$10,800.00 in lieu thereof.

In line 152 strike out the figure \$35,300.00 and insert the figure \$40,000.00 in lieu thereof.

In line 155 strike out the figure \$2,000.00 and insert the figure \$3,500.00 in lieu thereof.

In line 158 for Total strike out the figure \$176,200.00 and insert the figure \$184,700.00 in lieu thereof.

In line 159 after "11b." insert the following: "to be appropriated out of the State Equalization Fund".

In line 174 strike out the figure \$37,500.00 and insert the figure \$40,000.00 in lieu thereof.

In line 176 strike out the figure \$700.00 and insert the figure \$1,200.00 in lieu thereof.

In line 178 for Total strike out the figure \$206,601.00 and insert the figure \$209,601.00 in lieu thereof.

In line 196 strike out the figure \$7,500.00 and insert the figure \$9,000.00 in lieu thereof.

In line 205 for Total strike out the figure \$167,100.00 and insert the figure \$168,600.00 in lieu thereof.

In line 223 strike out the figure \$18,000.00 and insert the figure \$21,000.00 in lieu thereof.

In line 229 for Total strike out the figure \$78,540.00 and insert the figure \$81,540.00 in lieu thereof.

In line 238 strike out the figure \$17,760.00 and insert the figure \$12,760.00 in lieu thereof.

In line 239 strike out the figure \$5,000.00 and insert the figure \$6,000.00 in lieu thereof.

After line 242 insert the following line and renumber the lines accordingly:

"243 Air Marking \$5,000.00"

In line 243 for Total strike out the figure \$41,260.00 and insert the figure \$42,260.00 in lieu thereof.

In line 246 strike out the figure \$7,200.00 and insert the figure \$9,600.00 in lieu thereof.

In line 257 for Total strike out the figure \$139,200.00 and insert the figure \$141,600.00 in lieu thereof.

In line 260 strike out the figure \$8,000.00 and insert the figure \$9,600.00 in lieu thereof.

In line 261 strike out the figure \$8,000.00 and insert the figure \$8,400.00 in lieu thereof.

In line 272 for Total strike out the figure \$464,500.00 and insert the figure \$466,500.00 in lieu thereof.

In line 275 strike out the figure \$19,800.00 and insert the figure \$25,200.00 in lieu thereof.

In line 282 strike out the figure \$3,000.00 and insert the figure \$4,000.00 in lieu thereof.

Strike out all of line 284 and renumber the lines accordingly.

In line 288 for Total strike out the figure \$531,248.00 and insert the figure \$437,648.00 in lieu thereof.

After line 302 insert the following two lines and renumber the lines accordingly:

“303 Cost of Issuing & Selling Veterans’
304 Adjusted Compensation Bonds\$25,000.00”

In line 303 for Total strike out the figure \$1,190.00 and insert the figure \$26,190.00 in lieu thereof. ,

In line 306 strike out the figure \$6,600.00 and insert the figure \$7,200.00 in lieu thereof.

In line 307 strike out the figure \$33,600.00 and insert the figure \$36,000.00 in lieu thereof.

In line 311 strike out the figure \$1,000.00 and insert the figure \$1,500.00 in lieu thereof.

In line 314 for Total strike out the figure \$59,500.00 and insert the figure \$63,000.00 in lieu thereof.

In line 317 strike out the figure \$6,600.00 and insert the figure \$8,000.00 in lieu thereof.

In line 323 for Total strike out the figure \$11,525.00 and insert the figure \$12,925.00 in lieu thereof.

In line 326 strike out the figure \$6,600.00 and insert the figure \$8,000.00 in lieu thereof.

After line 331 insert the following three lines and renumber the lines accordingly:

“332 Emergency for Disaster Relief to become
333 Available upon passage & approval of
334 this Act \$10,000.00”

After line 332 insert the following four lines and renumber the lines accordingly:

“333 Death indemnity payment to Sarah Burger
334 Jones for death of Major Donald C. Jones
335 killed while serving with North Dakota
336 National Guard, February 19, 1949 \$7,500.00”

In line 333 for Total strike out the figure \$32,800.00 and insert the figure \$51,700.00 in lieu thereof.

In line 340 strike out the figure \$35,000.00 and insert the figure \$40,000.00 in lieu thereof.

In line 341 for Total strike out the figure \$35,000.00 and insert the figure \$40,000.00 in lieu thereof.

In line 348 strike out the figure \$48,600.00 and insert the figure \$100,000.00 in lieu thereof.

In line 349 for Total strike out the figure \$212,600.00 and insert the figure \$264,000.00 in lieu thereof.

In line 410 strike out the figure \$5,000.00 and insert the figure \$6,000.00 in lieu thereof.

In line 411 for Total strike out the figure \$55,980.00 and insert the figure \$56,980.00 in lieu thereof.

In line 414 strike out the figure \$2,000.00 and insert the figure \$1,500.00 in lieu thereof.

In line 415 for Total strike out the figure \$2,000.00 and insert the figure \$1,500.00 in lieu thereof.

In line 424 for Grand Total strike out the figure \$3,735,898.20 and insert the figure \$3,759,798.20 in lieu thereof.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 154, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 158, have had the same under consideration and recommend that the same be amended as follows:

On line 13 of the original bill, strike out the word "two" and insert, in lieu thereof, the word "four";

Strike out all of Section 6.

Renumber the lines and sections.

And when so amended recommend the same do pass.

J. L. FLATT, Chairman.

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Veterans and Military Affairs to whom was referred House Bill No. 272, 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 "memorials" strike out the period and insert the words "and declaring an emergency".

After line 15 of the printed bill, insert the following:

"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."

Renumber the lines.

And when so amended recommend the same do pass.

REINHART KRENZ, Chairman.

Senator Krenz moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 290, have had the same under consideration and recommend that the same be amended as follows:

On Lines 8 and 9, strike out the brackets;

On Line 12, after the word "board" strike out the period, insert a comma, in lieu thereof, and add the words "or waived by order of the court.";

On Line 24, after the word "court" insert the words "or juvenile commissioner";

On Line 25, after the word "judge" insert the words "or juvenile commissioner";

On Line 53, strike out the word "county" and insert, in lieu thereof, the words "judicial district";

On Lines 70 and 71, strike out the brackets;

On Line 79, after the word "child" strike out the balance of the line;

On Line 80, strike out the first word "or".

Renumber the lines, if necessary.

And when so amended recommend the same do pass.

. CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

COMMUNICATIONS

A communication was presented from Mr. and Mrs. Elmer Norgart of Edinburg, North Dakota, thanking the Legislative assembly for the contribution sent to them recently.

Senator O'Brien moved that the communication be printed in the journal, which motion prevailed.

Edinburg, N. D.
Feb. 26, 1949

Senate Chamber
North Dakota Legislative Assembly
Bismarck, N. D.

We wish to acknowledge receipt of gift of money, contributed by members of the Legislative assembly.

Please express our deep appreciation for this, to each and everyone here, who with word or deed helped us in our hour of sorrow and loss.

Sincerely

MR. AND MRS. ELMER NORGART
Edinburg, N. D.

Senator Bjorlie moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-SIXTH DAY

Bismarck, February 28, 1949

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. Arthur G. Hewitt of Bismarck.

Roll Call: All Senators present except Senator Albers.

A quorum was declared present by the President.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-third day after recess and Fifty-fourth day and recommend that the same be corrected as follows:

Page 662, line 39, correct the spelling of the word "geographic".

Page 668, line 51, correct the spelling of the word "motion."

Page 670, line 11, strike out the figures "78" and insert in

lieu thereof the figure "87"; in line 14, strike out the figures "78" and insert in lieu thereof the figure "87"; line 16 strike out the name "Solberg" and insert in lieu thereof the name "Strand".

Page 672, line 6, correct the spelling of the word "bill".

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: A majority of your committee on Judiciary to whom was referred House Bill No. 132, have had the same under consideration and recommend that the same do pass.

W. J. BRAUN
DUNCAN FRASER
IVER SOLBERG
STEVE NELSON
G. I. TETON
EDWARD LENO
R. H. LYNCH
JOS. SPIEKERMEIER
CARROLL E. DAY

CARROLL E. DAY, Chairman

Mr. President: A minority of your Committee on Judiciary to whom was referred House Bill No. 132, have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE
CLYDE DUFFY
FRANKLIN PAGE
O. E. BILDEN

Senator Day moved that the majority report be adopted.

Senator Shure moved that the report of the minority be adopted in lieu of the majority report, which motion was declared lost.

The question was on the motion of Senator Day to adopt the majority report on House Bill No. 132, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 291, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, strike out everything after the semicolon on the first line, down to and including the semicolon on the last line, and insert, in lieu thereof, the following: "providing conditions under which adoption proceedings will be conclusively presumed valid, and the relation of parent and child established;"

On Line 2, after the word "court" insert the words "or in a county court having increased jurisdiction"

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 292, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A BILL" and insert the following:

"For an Act to authorize the juvenile court to terminate parental rights in certain cases; providing the procedure therefor; providing for the supervision, custody, and consent to adoption of children in such cases; providing for the appointment of guardians ad litem; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. TERMINATION OF PARENTAL RIGHTS IN JUVENILE PROCEEDINGS: TRANSFER OF CONTROL AND CUSTODY OF CHILD.) Whenever in the course of a proceeding instituted under sections 27-1611, 27-1612, and 27-1621, of the North Dakota Revised Code of 1943, or otherwise, it shall appear to the court that the parent or parents of a child have abandoned such child or have substantially and continuously or repeatedly refused, or being financially able, have neglected to give such child parental care and protection, or whenever at any time it shall appear to the court that the parents or surviving parent are not fit or proper parents by reason of any of the grounds set forth in section 27-1627 of the North Dakota Revised Code of 1943, and said conduct is found by the court as likely to be detrimental to the health, morals, or well-being of said child, a juvenile court in the judicial district of the parents' residence or of the county where the child is born or is found shall have jurisdiction to transfer the care, control, and custody of such child to the director of the division of child welfare of the public welfare board, to a licensed child-placing agency, or to some suitable adult person named by the court, and in the exercise of such jurisdiction the court may terminate all rights of the parents with reference to such child. A termination of the rights of one parent may be made without affecting the rights of the other parent should the evidence so warrant.

SECTION 2. HEARING AND SERVICE OF NOTICE THEREON.) Such transfer of the permanent care, control, and custody of a child and the termination of the rights of the parents with reference to the child shall be made only after a special hearing before the court and the court shall cause notice of the time, place, and purpose of such hearing to be served within or without the state on the parents or surviving parent or the father of an illegitimate child against whom paternity has been duly adjudged, upon the general guardian of any such child, upon a general guardian of the mother of an illegitimate child, the general guardian of the father of an illegitimate child against whom paternity has been duly adjudged and on the director of the division of child welfare of the public welfare board for at least ten days prior to the date of the hearing. When it appears to the satisfaction of the court that personal service cannot be obtained, then by publication thereof in a newspaper in the county once a week for three consecutive weeks prior to the date of the hearing.

SECTION 3. TERMINATION OF PATERNAL RIGHTS UPON APPLICATION OF PARENTS.) Upon the application of the parents or of the surviving parent of any child, or of the mother of an illegitimate child, when paternity has not been adjudicated, a juvenile court in the judicial district of the parents' residence or of the county where the child is born or is found may, after notice to the director of the division of child welfare of the public welfare board, upon good cause shown, order the transfer of the care, control, and custody of such child to the director of the division of child welfare of the public welfare board, to a licensed child-placing agency, or to some suitable adult person named by the court, and if it appears to be for the best interests of the child, the court may order the termination of all the rights of a parent with reference to such child.

SECTION 4. GENERAL GUARDIAN AND GUARDIAN AD LITEM, SERVICE ON.) In any proceeding had under any of the provisions of this Act in which a parent is a minor or incompetent and for whom no general guardian has been appointed, the court shall appoint a guardian ad litem. All notices required to be served under the provisions of this Act upon the parent or parents of such minor or incompetent, or upon the mother of an illegitimate child shall be served also upon such general guardian or guardian ad litem.

SECTION 5. PROCEEDING UPON TERMINATION OF PARENTAL RIGHTS.) Upon the termination of all parental rights, the child shall become a ward of the state and the director of the division of child welfare of the public welfare board shall be the representative of the state in all matters concerning said child. He shall have authority to give consent to the adoption of said child with the same force and effect as a consent given by the legal parent or parents. Where the custody of the child is placed with a licensed child-placing agency or some suitable person named by the court, due regard shall be given to the religious faith held by the parent or parents of the child and so far as it is practicable the child shall be placed with a child-caring agency or adult person of the same religious faith as that held by the parent or parents of the child. The jurisdiction of the court shall continue until the child is adopted or becomes of age.

SECTION 6. ORDER UPON TRANSFERRING CUSTODY AND TERMINATING PARENTAL RIGHTS.) Every order of the juvenile court transferring the care, control, and custody of a child and terminating the rights of the parents or either parent with reference to a child shall be in writing and shall recite all the jurisdictional facts, and every such order shall be filed forthwith with the clerk of the juvenile court of such county, and two certified copies thereof sent to the director of the division of child welfare of the public welfare board.

SECTION 7. APPEAL AND STAY OF EXECUTION.) In every case where the juvenile court shall determine and adjudge the transfer of the care, control, and custody of a child or the termination of the rights of a parent or the parents with reference to such child, appeal may be taken in the manner as provided for appeals in civil actions except that no undertaking shall be required. On appeal, the case shall be triable anew in the supreme court. The judgment of said juvenile court shall stand, pending the determination of such appeal, but the court may stay the execution of said judg-

ment pending such appeal, upon such conditions as the court may prescribe.

SECTION 8. RECORDS NOT OPEN TO INSPECTION.) The files and records of the court in any proceedings had under any of the provisions of this Act shall not be open to inspection or copy by persons other than the parties interested, their attorneys, and representatives of the division of child welfare of the public welfare board, except upon an order of the court expressly permitting same.

SECTION 9. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Number the lines.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 28, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 156
House Bill No. 175
House Bill No. 203
House Bill No. 254
House Bill No. 271
House Bill No. 277
House Bill No. 279

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 28, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 61
House Bill No. 65
House Bill No. 67
House Bill No. 70
House Bill No. 126
House Bill No. 162
House Bill No. 195
House Bill No. 204

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, February 28, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 113
House Bill No. 115
House Bill No. 172
House Bill No. 177
House Bill No. 220
House Bill No. 250
House Bill No. 265

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

CONSIDERATION OF AMENDMENTS

Senator Day moved that the amendments to House Bill No. 223, be adopted, which motion prevailed.

Senator Sandness moved that the amendments to House Bill No. 264 be adopted, which motion prevailed.

Senator Day moved that the amendments to House Bill No. 324 be adopted, which motion prevailed.

The Senate was on the eighth order of business.

Senator Nordhougen moved that the vote by which House Bill No. 253 was indefinitely postponed be reconsidered, which motion prevailed.

Senator Nordhougen moved that House Bill No. 253 be referred to the Committee on Judiciary, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sandness moved that the Senate concur in the House amendments to Senate Bill No. 50, which motion prevailed.

Senator Sandness moved that the rules be suspended and that Senate Bill No. 50 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 50.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House.

The roll was called and there were ayes, 46; nays 1; absent and not voting 2.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	O'Brien	Tuff
Flatt	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welanders
Fraser	Page	Wolf
Freed	Pyle	Work
Kamrath	Reinke	

Those voting in the negative were:

Shure

Absent and not voting:

Albers Strand

So the bill passed and the title was agreed to.

Senator Braun moved that the Senate do concur in the

House amendments to Senate Bill No. 43, which motion prevailed.

Senator Braun moved that the rules be suspended and that Senate Bill No. 43 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 43.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays 0; absent and not voting 3.

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	O'Brien	Troxel
Feton	Olson Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Absent and not voting:

Albers	Nordhougen	Strand
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So the bill passed and the title was agreed to.

Senator Foss moved that the Senate do concur in the House amendments to Senate Bill No. 120, which motion prevailed.

Senator Foss moved that the rules be suspended and that Senate Bill No. 120, be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 120

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Bjorlie	Lichty	Sandness
Blume	Lynch	Schrock
Brant	Mehlhoff	Schoeder
Bridston	Morgan	Shure
Brunsdale	Nelson, McKenzie	Solberg
Coghlan	Nelson, Griggs-	Spiekermeier
Day	Steele	Streibel
Duffy	Nordhougen	Stucke
Feton	O'Brien	Torno

Flatt	Olson, Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work
Leno		

Absent and not voting:

Albers	Braun	Strand
Bilden		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 28, 1949

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 43
Senate Bill No. 50
Senate Bill No. 120

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 194

Which has been read.

Senator Brunsdale moved that action on House No. 194 be delayed one legislative day, which motion prevailed.

House Bill No. 282

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Bjorlie	Leno	Rue
Blume	Lichty	Sandness
Brant	Lynch	Schrock
Braun	Mehlhoff	Schoeder
Bridston	Moxgan	Shure
Brunsdale	Nelson, McKenzie	Solberg
Coghlan	Nelson, Griggs-	Spiekermeier
Day	Steele	Strand
Duffy	Nordhougen	Streibel
Feton	O'Brien	Torno
Flatt	Olson Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Krenz		

Absent and not voting:

Albers	Stucke	Troxel
Bilden		

So the bill passed and the title was agreed to.

Senator Solberg: I want to explain my vote on House Bill No. 282 and I want it recorded in the journal. Mr. President,

I am in somewhat the same position as the Senator from Wells. My own school district is going to lose approximately \$1200.00 by this new distribution but I am willing to try it and see if we can get a better distribution of school funds.

House Bill No. 288

Which has been read.

Senator Brunsdale moved that House Bill No. 288 be amended as follows:

At the end of line 36 of the engrossed bill insert the following language: "provided, however, that the provisions of this chapter shall not apply to any person operating eight millimeter or sixteen millimeter moving picture machines and using non-combustible and non-inflammable safety film exclusively;" and renumber the lines accordingly, which motion prevailed.

Senator Brunsdale moved that House Bill No. 288 be placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Krenz	Sandness
Bjorlie	Leno	Schrock
Blume	Lichty	Schoeder
Brant	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nordhousen	Streibel
Day	O'Brien	Troxel
Duffy	Olson Mountrail	Tuff
Feton	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

Those voting in the negative were:

Flatt Torno

Absent and not voting:

Albers	Nelson, Griggs- Steele	Stucke
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that House Bills Nos. 330 and 331 be laid over one legislative day, which motion prevailed.

House Bill No. 344.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays 0; absent and not voting 2.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Bjorlie	Leno	Sandness

Blume	Lichty	Schrock
Brant	Lynch	Schoeder
Braun	Mehlhoff	Shure
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Streibel
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work

Absent and not voting:

Albers Stucke

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Strand moved that after the reading of House Bills Nos. 21, 63, 163, 224, 226, 284, 314, 335, the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 28, 1949

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 134 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Culver, Cote and Walster.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 28, 1949

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Concurrent Resolution "F" and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Lillehaugen, Wollitz and Hofstrand.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, February 28, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills No. 77, 78, 79, 109, 182, 190, 247, 287, 342, and House Concurrent Resolution "Q".

GEORGE OLSON, Chief Clerk.

FIRST READING OF HOUSE BILLS

House Concurrent Resolution "Z." A Concurrent Resolution Memorializing and Petitioning the Congress of the United States to Enact Legislation Providing for the Assumption of a Proportionate Share of the Bonded Indebtedness of Local Units of Government When the Assessed Taxable

Valuation in Such Units of Government Is Reduced Through Acquisition of Land by the United States.

Was read for the first time.

Senator Brunsdale moved that the rules be suspended and that House Concurrent Resolution "Z" be placed upon second reading and final passage, which motion prevailed.

Senator Brunsdale moved that House Concurrent Resolution "Z" be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Brant moved that the President appoint a committee of three to act as a Conference Committee on House Concurrent Resolution "F", which motion prevailed.

The President appointed as such committee, Senator Brant, Senator Brunsdale and Senator Spickermeier.

Senator Rue moved that the President appoint a committee of three to act as a Conference Committee on House Bill No. 134, which motion prevailed.

The President appointed as such committee, Senator Duffy, Senator Stucke and Senator Bridston.

SECOND READING OF HOUSE BILLS

House Concurrent Resolution "L".

Which has been read.

Senator Day moved that House Concurrent Resolution "L" be amended as follows:

In the second line of the title after the word "procedure" insert a comma and the words "amount of compensation paid"

Strike out lines 8 to 23 inclusive and insert the following:

- "1. That representatives of the Government have persuaded some farmers to sell their land at less than fair and reasonable prices, when they were not fully aware of their rights, and in some cases where they thought it would be useless to resist the Government, not knowing or realizing that land of equal or less value would be purchased for higher prices where the owner was better able to represent his own interests.
2. That the result of litigation has now proved that some land was purchased too cheaply, with the result that those who sold voluntarily and without causing the Government any expense have been discriminated against.
3. That the government did not sufficiently take into account the hardship visited upon families required to relocate, where they had struggled for two or more generations to build a home which could not in any case be duplicated, and which consisted in many cases of buildings and improvements invaluable to the owner but of no value to the government.
4. That the difficulty and expense of relocation was not in all cases given fair consideration.
5. That persons were forced to sell their property and in many cases thus exposed to income tax liability which they should not under the circumstances be required to suffer.
6. That an unreasonable policy with respect to renting land

to former owners during a delayed period before the land is flooded has worked an unnecessary hardship."

Strike out everything after the last comma on line 30 and all of lines 31, 32 and 33 and insert:

"to take the necessary steps to compensate persons equitably entitled even though there may no longer be legal liability so to do; to pay additional sums to those who voluntarily accepted less than fair prices; to reconsider the equities of those injured through force of circumstance in the difficulties of relocation; and to establish fair and equitable rules for dealing with tenants."

Senator Day moved that the amendments to House Concurrent Resolution "L" be printed in the journal and that further action on House Concurrent Resolution "L" be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Concurrent Resolution "Y"

Which has been read.

ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 31; nays 11; absent and not voting 7.

Those voting in the affirmative were:

Bilden	Leno	Sandness
Blume	Lichty	Schrock
Braun	Mehlhoff	Schoeder
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nordhougen	Streibel
Feton	Olson, Mountrail	Torno
Flatt	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Freed	Reinke	Welanders
Kamrath	Rue	Wolf
Krenz		

Those voting in the negative were:

Brant	Morgan	Strand
Coghlan	O'Brien	Troxel
Foss	Pyle	Work
Lynch	Shure	

Absent and not voting:

Albers	Duffy	Solberg
Bjorlie	Nelson, Griggs-	Stucke
Day	Steele	

So the Resolution passed and the title was agreed to.

House Bill No. 5

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays 1; absent and not voting 6.

Those voting in the affirmative were:

Bilden	Krenz	Rue
Bjorlie	Leno	Sandness
Blume	Lichty	Schrock

Brant	Lynch	Schoeder
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work

Those voting in the negative were:

Shure

Absent and not voting:

Albers	Duffy	Solberg
Day	Nelson, Griggs- Steele	Stucke

So the bill passed and the title was agreed to.

House Bill No. 66

Which has been read.

Senator Morgan moved that House Bill No. 66 be amended as follows: In line 4, strike out the figure "419,455.00" and insert, in lieu thereof the figure "\$437,854.00"; in line 11, strike out the figure "\$1,181,601.00" and insert, in lieu thereof the figure "\$1,200,000.00"; In line 72, strike out the figure "\$2,717,556.00" and insert in lieu thereof, the figure "\$2,735,955.00", which motion prevailed.

Senator Morgan moved that the rules be suspended and that House Bill No. 66 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays 0; absent and not voting 6.

Those voting in the affirmative were:

Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Shure
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nordhougen	Streibel
Coghlan	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Absent and not voting:

Albers	Duffy	Solberg
Day	Nelson, Griggs- Steele	Stucke

So the bill passed and the title was agreed to.

House Bill No. 21

Which has been read.

Senator Olson of Mountrail moved that House Bill No. 21 be amended as follows:

Strike out everything after the word "appropriated" in line 19 of the printed bill and insert in lieu thereof the following: "to the Old Age Assistance Fund and shall be disbursed by the Public Welfare Board in the manner provided by law." and renumber the lines.

ROLL CALL

The question was on the motion of Senator Olson of Mountrail to amend House Bill No. 21, the roll was called and there were ayes, 20; nays, 26; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Leno	Streibel
Bjorlie	Lichty	Torno
Blume	Nelson McKenzie	Tuff
Brunsdale	Olson, Mountrail	Wahlund
Duffy	Reinke	Welander
Fraser	Schoeder	Wolf
Kamrath	Solberg	

Those voting in the negative were:

Brant	Krenz	Rue
Braun	Lynch	Sandness
Bridston	Mehlhoff	Schrock
Coghlan	Morgan	Shure
Day	Nordhougen	Spiekermeier
Feton	O'Brien	Strand
Flatt	Olson, Barnes	Troxel
Foss	Page	Work
Freed	Pyle	

Absent and not voting:

Albers	Nelson, Griggs-Steele	Stucke
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So the motion was declared lost.

Senator Brant moved that House Bill No. 21 be amended as follows: In line 24 after the word "municipalities" strike the period and add the following language: "to be used exclusively by such municipalities for airport purposes." which motion prevailed.

Senator Brant moved that the rules be suspended and that House Bill No. 21 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand

Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Pyle	Wahlund
Foss	Reinke	Welander
Fraser	Rue	Wolf
Freed	Sandness	Work
Kamrath		

Those voting in the negative were:

Olson, Mountrail . Page

Absent and not voting:

Albers	Nelson, Griggs-	Stucke
Day	Steele	

So the bill passed and the title was agreed to.

House Bill No. 63

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays 0; absent and not voting 5.

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nordhougen	Streibel
Coghlan	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath	Sandness	

Absent and not voting:

Albers	Nelson, McKenzie	Stucke
Day	Nelson, Griggs-	
	Steele	

So the bill passed and the title was agreed to.

Senator Brunsdale moved that the Senate do now recess until 1:00 p. m., March 1, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-SIXTH DAY AFTER RECESS AND
FIFTY-SEVENTH DAY

Bismarck, March 1, 1949

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

The Senate was on the eighth order of business.

Senator Brunsdale moved that the Senate do now recess until the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 63
 Senate Bill No. 66
 Senate Bill No. 68
 Senate Bill No. 70
 Senate Bill No. 72
 Senate Bill No. 77
 Senate Bill No. 97
 Senate Bill No. 99
 Senate Bill No. 110
 Senate Bill No. 117
 Senate Bill No. 167
 Senate Bill No. 169
 Senate Bill No. 184
 Senate Bill No. 192
 Senate Bill No. 195
 Senate Bill No. 208
 Senate Bill No. 209
 Senate Bill No. 226
 Senate Bill No. 229
 Senate Bill No. 233
 Senate Memorial Resolution "A"
 Senate Concurrent Resolution "E"
 Senate Concurrent Resolution "I"
 Senate Resolution 3
 House Bill No. 10
 House Bill No. 58
 House Bill No. 59
 House Bill No. 84

House Bill No. 85
 House Bill No. 105
 House Bill No. 127
 House Bill No. 140
 House Bill No. 168
 House Bill No. 214
 House Bill No. 218
 House Bill No. 237
 House Bill No. 238
 House Bill No. 319
 House Bill No. 329

And the President signed the same in the presence of the Senate.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution 3.

Was delivered to the Secretary of State at the hour of 1:45 p.m., o'clock, March 1, 1949.

EMIL TORNO, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Memorial Resolution "A".

Was delivered to the Secretary of State at the hour of 1:45 p.m., o'clock, March 1, 1949.

EMIL TORNO, Chairman.

MESSAGES TO THE HOUSE

Senate Chamber
 Bismarck, March 1, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 63
 Senate Bill No. 66
 Senate Bill No. 68
 Senate Bill No. 70
 Senate Bill No. 72
 Senate Bill No. 77
 Senate Bill No. 97
 Senate Bill No. 99
 Senate Bill No. 110
 Senate Bill No. 117
 Senate Bill No. 167
 Senate Bill No. 169
 Senate Bill No. 184
 Senate Bill No. 192
 Senate Bill No. 195
 Senate Bill No. 208
 Senate Bill No. 209
 Senate Bill No. 226
 Senate Bill No. 229
 Senate Bill No. 233
 Senate Concurrent Resolution "A"
 Senate Concurrent Resolution "E"
 Senate Concurrent Resolution "I"

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 1, 1949

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. 134, Senators Duffy, Stucke and Bridston.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 1, 1949

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Concurrent Resolution "F", Senators Brant, Brunsdale and Spiekermeier.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 1, 1949

Mr. President: I have the honor to return:

Senate Bill No. 3
Senate Bill No. 44
Senate Bill No. 53
Senate Bill No. 54
Senate Bill No. 62
Senate Bill No. 64
Senate Bill No. 89
Senate Bill No. 90
Senate Bill No. 96
Senate Bill No. 130
Senate Bill No. 131
Senate Bill No. 135
Senate Bill No. 136
Senate Bill No. 140
Senate Bill No. 142
Senate Bill No. 145
Senate Bill No. 151
Senate Bill No. 155
Senate Bill No. 162
Senate Bill No. 163
Senate Bill No. 181
Senate Bill No. 183
Senate Bill No. 187
Senate Bill No. 194
Senate Bill No. 196
Senate Bill No. 197
Senate Bill No. 200
Senate Bill No. 210
Senate Bill No. 211
Senate Bill No. 212
Senate Bill No. 213
Senate Bill No. 215
Senate Bill No. 217
Senate Bill No. 231
Senate Bill No. 234
Senate Bill No. 236
Senate Bill No. 240
Senate Bill No. 242
Senate Concurrent Resolution "M"

Senate Concurrent Resolution "N"
Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.
House Chamber
Bismarck, March 1, 1949

Mr. President: I have the honor to transmit:

House Bill No. 2
House Bill No. 26
House Bill No. 32
House Bill No. 55
House Bill No. 56
House Bill No. 80
House Bill No. 133
House Bill No. 137
House Bill No. 138
House Bill No. 139
House Bill No. 191
House Bill No. 202
House Bill No. 217
House Bill No. 228
House Bill No. 231
House Bill No. 236
House Bill No. 242
House Bill No. 245
House Bill No. 248
House Bill No. 249
House Bill No. 256
House Bill No. 262
House Bill No. 268
House Bill No. 307
House Bill No. 334
House Bill No. 336
House Bill No. 337
House Bill No. 338
House Bill No. 339
House Bill No. 340
House Bill No. 343
House Bill No. 347

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

MESSAGE FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

February 26, 1949

Members of the Senate
Thirty-First Legislative Assembly
Senate Chambers
Bismarck, North Dakota

Gentlemen:

Today I have approved Senate Bills Numbers 9, 10, 11, 12, 13, 14, 16, 19, 20, 22, 23, 27, 41, 47, 86, 100, 108, 121, 122, 138, 147, 148, 156, 171, 178 and 179.

These bills have been filed with the Secretary of State.

Sincerely yours,
FRED G. AANDAHL
Governor

The Senate was on the eighth order of business.

Senator Stucke requested consent to introduce a bill, which request was granted by a unanimous vote.

SECOND READING OF HOUSE BILLS

House Bill No. 163

Which has been read.

Senator Bridston moved that House Bill No. 163 be amended as follows:

After the “;” in the seventh line of the title add “to authorize cities, villages and organized townships to impose a tax on the gross receipts from retail sales as defined herein;”

After the word “certain” in the eighth line of the title insert a comma and the word “credits” followed by a comma.

On line 87 of the printed bill after the word “IMPOSED” insert “CITIES, VILLAGES AND ORGANIZED TOWNSHIPS AUTHORIZED TO IMPOSE TAX ON GROSS RECEIPTS FROM RETAIL SALES; CREDITS AUTHORIZED.”

On line 107 of the printed bill after the period add “Any city, village, or organized township, by a two-thirds vote of the members of the governing body, may impose a tax of not to exceed one-half of one per cent upon the gross receipts from retail sales as defined in this Act and made within the corporate limits of such city, village, or organized township. Any person as defined in this Act, liable for the collection and payment to the commissioner of the 2% tax as provided for in this Act may credit against the said 2% tax the amount of tax paid to any city, village, or organized township under the provisions of this section.”

On line 674 of the printed bill delete the words “collected and received under this Act shall be paid into the state treasury and” and insert the words “coming into the state treasury as the proceeds of any state sales tax.”

Senator Bridston requested a roll call, which request was granted.

ROLL CALL

The question was on the motion of Senator Bridston to amend House Bill No. 163, the roll was called and there were ayes, 16; nays, 31; absent and not voting 2.

Those voting in the affirmative were:

Braun	Freed	Rue
Bridston	Mehlhoff	Sandness
Brunsdale	Morgan	Shure
Day	O'Brien	Troxel
Duffy	Olson, Barnes	Work
Feton		

Those voting in the negative were:

Albers	Lichty	Schoeder
Bilden	Lynch	Solberg
Bjorlie	Nelson, McKenzie	Spiekermeier
Brant	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Flatt	Nordhougen	Stucke
Foss	Olson, Mountrail	Torno
Fraser	Page	Tuff
Kamrath	Pyle	Wahlund
Krenz	Reinke	Wolf
Leno	Schrock	

- Absent and not voting:

Blume Welander

So the motion was declared lost.

Senator Brunsdale moved that further action on House Bill No. 163 be deferred until the next legislative day, which motion prevailed.

FIRST READING OF SENATE BILLS

Senator Stucke by unanimous consent introduced:

Senate Bill No. 244. A Bill for an Act Providing That Gain Shall Not Be Recognized for Income Tax Purposes on Property Involuntarily Converted, and Declaring an Emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

Senator Bjorke moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-SEVENTH DAY

Bismarck, March 1, 1949

The Senate convened at 2:00 p.m., the President presiding.

Prayer by the Chaplain, Rev. Hayes of Bismarck.

Roll Call: All Senators present except Senator Blume.

A quorum was declared present by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-fourth Day after recess and Fifty-sixth day and recommend that the same be corrected as follows:

Page 681, line 3, strike out the word "Fifth" and insert the word "Sixth".

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 1, 1949

Mr. President: I have the honor to return:

Senate Bill No. 49

Which the House has indefinitely postponed.

GEORGE OLSON, Chief Clerk.

House Chamber

Bismarck, March 1, 1949

Mr. President: I have the honor to return:

Senate Bill No. 39, which the House has amended as follows:

In line 45 of the amended bill strike out the words: "having firearms in his or their possession".

Senate Bill No. 207, which the House has amended as follows:

In line 1, Title of the Bill, strike out the words "or mark".

In line 3, Title of the Bill, strike out the words "or marked".

In Section 1, line 2, strike out the words "or mark".

In line 4, strike out the words "or mark".

In Section 2, line 7, after the word "any" insert the word "registered" and in line 7, after the word branded strike out the word "or".

In line 8, strike out the word "marked".

In line 12, after the word "all" insert the word "registered". and insert a comma after the word "brands" and strike out the following words "and man-made marks thereon".

In line 21, at the end of Section 2, strike out the period and insert a semi-colon and add the following: "Provided, that no such bill of sale shall be required relative to sales of livestock covered by a legal livestock brand inspection."

Re-number the lines, if necessary.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 1, 1949

Mr. President: I have the honor to return:

Senate Bill No. 112

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 1, 1949

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to House Bills Nos. 65 and 70 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Stair, Johnson and Hegge.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 1, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 61
House Bill No. 67
House Bill No. 126
House Bill No. 162
House Bill No. 195
House Bill No. 204
House Bill No. 273

GEORGE OLSON, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 112, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 306, have had the same under consideration and recommend that the same do pass.

HUGH J. WORK, Chairman.

Senator Work moved that the report be adopted.

Senator Braun made a substitute motion that House Bill No. 306 be indefinitely postponed.

Senator Streibel requested a roll call, which request was granted.

ROLL CALL

The question was on the motion of Senator Braun, the roll was called and there were ayes, 22; nays, 25; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Schrock
Brant	Leno	Schoeder
Braun	Morgan	Streibel
Bridston	O'Brien	Torno
Brunsdale	Olson, Mountrail	Troxel
Day	Pyle	Tuff
Flatt	Reinke	Wahlund
Fraser		

Those voting in the negative were:

Bilden	Lynch	Shure
Bjorlie	Mehlhoff	Solberg
Coghlan	Nelson, McKenzie	Spiekermeier
Duffy	Nelson, Griggs-	Strand
Feton	Steele	Stucke
Foss	Olson, Barnes	Welander
Freed	Page	Wolf
Kamrath	Rue	Work
Lichty	Sandness	

Absent and not voting:

Blume Nordhougen

So the motion was declared lost.

The question was on the motion of Senator Work that the Committee report on House Bill No. 306 be adopted, which motion prevailed.

Senator Strand moved that after the reading of House Bills Nos. 132, 154, 223, 264, and 324, the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 1, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 173

House Concurrent Resolution "Z"

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 1, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 5
House Bill No. 21
House Bill No. 63
House Bill No. 282
House Bill No. 288
House Bill No. 344
House Concurrent Resolution "Y"
Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 1, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 44
House Bill No. 45
House Bill No. 309
Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 244, have had the same under consideration and recommend that the same do pass.

E. H. BRANT, Chairman.

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Stucke moved that the rules be suspended and that Senate Bill No. 244 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 244

Was read the second time.

Senator Stucke informed the Senate that he was personally interested in this Bill.

Senator Streibel moved that Senator Stucke be allowed to vote regardless of his personal interest in the bill, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays 0; absent and not voting 3.

Those voting in the affirmative were:

Albers	Krenz	Schrock
Bilden	Leno	Schoeder
Bjorlie	Lichty	Shure
Brant	Lynch	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff

Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath	Sandness	

Absent and not voting:

Blume	Mehlhoff	Olson, Barnes
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Stucke moved that the vote by which Senate Bill No. 244 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Morgan moved that the amendments to House Bill No. 54 be adopted, which motion prevailed.

Senator Flatt moved that the amendments to House Bill No. 158 be adopted, which motion prevailed.

Senator Krenz moved that the amendments to House Bill No. 272 be adopted, which motion prevailed.

Senator Day moved that the amendments to House Bill No. 290 be adopted, which motion prevailed.

Senator Day moved that the amendments to House Bill No. 291 be adopted, which motion prevailed.

Senator Day moved that the amendments to House Bill No. 292 be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Braun moved that the Senate do concur in the House amendment to Senate Bill No. 39, which motion prevailed.

Senator Braun moved that the rules be suspended and that Senate Bill No. 39 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 39

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 40; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Kamrath	Sandness
Bjorlie	Krenz	Schrock
Brant	Leno	Schoeder
Braun	Lichty	Shure
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Torno
Day	Steele	Troxel
Duffy	Nordhougen	Tuff
Feton	Olson, Barnes	Wahlund
Flatt	Page	Welander

Foss	Pyle	Wolf
Fraser	Reinke	Work
Freed	Rue	

Those voting in the negative were:

Albers	O'Brien	Solberg
Lynch	Olson, Mountrail	Streibel

Absent and not voting:

Blume	Mehlhoff	Stucke
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So the bill passed and the title was agreed to.

Senator Troxel moved that the Senate do not concur in the House amendments to Senate Bill No. 207, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 207, Senators Troxel, Wahlund and Pyle.

Senator Morgan moved that the President appoint a Conference Committee on House Bill No. 65 and House Bill No. 70, which motion prevailed.

The President appointed as such Conference Committee Senators Rue, Morgan and Nordhougen.

The Senate was on the eighth order of business.

Senator Flatt moved that the President appoint a committee of three to make arrangements for an "appreciation program" to be held before the session ends, which motion prevailed.

The President appointed as such committee, Senators Flatt, Mehlhoff, and Leno.

House Bill No. 163

Senator Olson of Mountrail moved that House Bill No. 163 be amended as follows: On page 8, line 148, strike out the two words "insurance premiums" which motion was declared lost.

Senator Streibel moved that House Bill No. 163 be amended as follows: In line 150 of the engrossed bill, after the word "tax" strike out the words "unless such special tax is refunded."

Senator Streibel requested a roll call, which request was granted.

ROLL CALL

The question was on the motion of Senator Streibel to amend House Bill No. 163, the roll was called and there were ayes, 26; nays, 22; absent and not voting 1.

Those voting in the affirmative were:

Albers	Nelson, Griggs-	Schoeder
Bilden	Steele	Solberg
Bjorlie	Nordhougen	Spiekermeier
Fraser	O'Brien	Streibel
Kamrath	Olson, Mountrail	Stucke
Leno	Page	Tuff
Lichty	Pyle	Wahlund
Lynch	Reinke	Welder
Nelson, McKenzie	Schrock	Wolf

Those voting in the negative were:

Brant	Flatt	Rue
Braun	Foss	Sandness
Bridston	Freed	Shure
Brunsdale	Krenz	Strand
Coghlan	Mehlhoff	Torno

Day	Morgan	Troxel
Duffy	Olson, Barnes	Work
Feton		

Absent and not voting:

Blume

So the motion was declared carried.

Senator Troxel moved that House Bill No. 163 be amended as follows: In Section 10 after line 250 insert the following: "Provided, however, no retailer or agency shall remit to the tax commissioner any more or less sales tax than is collected".

Senator Day moved that the amendment offered by Senator Troxel be amended as follows: Strike out the words "more or", which motion prevailed.

The question was on the motion of Senator Troxel to amend House Bill No. 163, which motion was declared lost.

Senator Day moved that House Bill No. 163 be amended as follows:

After the ";" in the seventh line of the title add "to authorize cities, villages and organized townships to impose a tax on the gross receipts from retail sales as defined herein;"

After the word "certain" in the eighth line of the title insert a comma and the word "credits" followed by a comma.

On line 87 of the printed bill after the word "IMPOSED" insert "CITIES, VILLAGES AND ORGANIZED TOWNSHIPS AUTHORIZED TO IMPOSE TAX ON GROSS RECEIPTS FROM RETAIL SALES; CREDITS AUTHORIZED."

On line 107 of the printed bill after the period add "Any city, village, or organized township, by a two-thirds vote of the members of the governing body, may impose a tax of not to exceed one-eighth of one per cent upon the gross receipts from retail sales as defined in this Act and made within the corporate limits of such city, village, or organized township. Any person as defined in this Act, liable for the collection and payment to the commissioner of the 2% tax as provided for in this Act may credit against the said 2% tax the amount of tax paid to any city, village, or organized township under the provisions of this section."

On line 674 of the printed bill delete the words "collected and received under this Act shall be paid into the state treasury and" and insert the words "coming into the state treasury as the proceeds of any state sales tax".

Senator Page moved that the amendment offered by Senator Day be amended as follows: "In line 14 of the amendment, starting with the word "Any" strike out that line and the rest of that sentence", which motion was declared lost.

Senator Day requested a roll call on his motion for amendment, which request was granted.

The roll was called on the motion of Senator day to amend House Bill No. 163.

ROLL CALL

The question was on the motion of Senator Day to amend House Bill No. 163, the roll was called and there were ayes, 14; nays, 34; absent and not voting, 1.

Those voting in the affirmative were:

Braun	Feton	Olson, Barnes
Bridston	Freed	Rue

Brunsdale	Mehlhoff	Shure
Day	Morgan	Work
Duffy	O'Brien	

Those voting in the negative were:

Albers	Lynch	Solberg
Bilden	Nelson, McKenzie	Spiekermeier
Bjorlie	Nelson, Griggs	Strand
Brant	Steele	Streibel
Coghlan	Nordhougen	Stucke
Flatt	Olson Mountrail	Torno
Foss	Page	Troxel
Fraser	Pyle	Tuff
Kamrath	Reinke	Wahlund
Krenz	Sandness	Welander
Leno	Schrock	Wolf
Lichty	Schoeder	

Absent and not voting:

Blume

So the motion was declared lost.

SECOND READING OF HOUSE BILLS

House Bill No. 163

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 8; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Lichty	Sandness
Brant	Lynch	Schrock
Braun	Mehlhoff	Schoeder
Bridston	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs	Strand
Duffy	Steele	Streibel
Feton	Nordhougen	Stucke
Flatt	O'Brien	Troxel
Foss	Olson, Barnes	Tuff
Freed	Page	Welander
Kamrath	Pyle	Wolf
Krenz	Reinke	Work
Leno	Rue	

Those voting in the negative were:

Albers	Fraser	Torno
Bjorlie	Olson Mountrail	Wahlund
Day	Shure	

Absent and not voting:

Blume

So the bill passed and the title was agreed to.

The President called the President Pro Tem to the Chair.

House Bill No. 224

Which has been read.

ROLL CALL

The question being on the final passage of the bill,

as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Brant	Mehlhoff	Shure
Braun	Morgan	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson Mountrail	Troxel
Foss	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Blume Leno

So the bill passed and the title was agreed to.

House Bill No. 226

Which has been read.

Senator Schrock moved that House Bill No. 226 be amended as follows: "In line 39 of the printed bill, strike out the words "owners of", which motion prevailed.

Senator Schrock moved that the rules be suspended and that House Bill No. 226 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 11; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Lynch	Solberg
Bilden	Mehlhoff	Spiekermeier
Bjorlie	Nelson, McKenzie	Strand
Braun	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Feton	Nordhougen	Torno
Flatt	O'Brien	Troxel
Fraser	Olson, Mountrail	Tuff
Freed	Pyle	Wahlund
Kamrath	Sandness	Welander
Krenz	Schrock	Wolf
Leno	Schoeder	Work
Lichty	Shure	

Those voting in the negative were:

Brant	Duffy	Page
Bridston	Foss	Reinke
Brunsdale	Morgan	Rue
Day	Olson, Barnes	

Absent and not voting:

Blume

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Shure changed his vote from Nay to Aye for the purpose of reconsideration.

Senator Mehlhaff introduced the McIntosh County Quartette who rendered two numbers in a very pleasing manner.

Senator Brunsdale moved that the Senate recess until 10:00 a.m., March 2, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-SEVENTH DAY AFTER RECESS
AND FIFTY-EIGHTH DAY

Bismarck, March 2, 1949

The Senate convened at 10:00 a. m., pursuant to recess taken, the President Pro Tem presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 284

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Braun	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Streibel
Duffy	Nordhougen	Torno
Feton	Olson Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work

Absent and not voting:

Brant	Fraser	Stucke
Bridston	O'Brien	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 314

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Braun	Mehlhoff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand

Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Foss	Pyle	Welander
Fraser	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Those voting in the negative were:

Olson Mountrail

Absent and not voting:

Brant	O'Brien	Stucke
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 335

Which has been read.

Senator Day moved that House Bill No. 335 be amended as follows: In line 2 of the title before the word "Revised" insert the words "North Dakota", and in line 2 of the printed bill before the word "Revised" insert the words "North Dakota," which motion prevailed.

Senator Day moved that the rules be suspended and that House Bill No. 335 be placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 9; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Braun	Lynch	Schoeder
Bridston	Mehlhoff	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Streibel
Day	Nordhougen	Tuff
Feton	Olson Mountrail	Wahlund
Flatt	Olson, Barnes	Welander
Foss	Pyle	Wolf
Fraser	Reinke	Work
Freed		

Those voting in the negative were:

Blume	Nelson, Griggs-	Strand
Duffy	Steele	Torno
Krenz	Page	Troxel
	Shure	

Absent and not voting:

Brant	O'Brien	Stucke
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 194

Which has been read.

Senator Brunsdale moved that House Bill No. 194 be amended as follows:

In line 6, Section 1, of the engrossed bill beginning with the word "One" strike out the remainder of the section and insert the following:

"The first one-half of such funds shall be paid to the county or counties affected and by them to be distributed to the school districts which suffered a reduction in assessed valuation because of the acquisition of lands by the United States so that the districts will be reimbursed on a per pupil basis for the net loss of revenue resulting from such reduction in valuation, the determination of net loss per pupil to be the income received from all sources by the school districts divided by the number of pupils in the grades and high school thereof in 1947 subtracted from the per pupil cost arrived at in like manner for the current year; and the remainder of the first one-half of such funds to be distributed to the schools of the county on a per pupil basis and second half of such funds shall be paid to such county or counties for road purposes to be expended as the county commissioners may determine."

Which motion prevailed.

Senator Brunsdale moved that House Bill No. 194 be placed on final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Lichty	Schrock
Bjorlie	Leno	Schoeder
Blume	Lynch	Shure
Braun	Mehlhaff	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	Nelson, McKenzie	Strand
Coghlan	Nelson, Griggs-	Streibel
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Brant	Rue	Stucke
O'Brien		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

The President resumed the chair.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 1, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 244

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution "R"

Senate Bill No. 30

Senate Bill No. 43

Senate Bill No. 50

Senate Bill No. 120

Senate Bill No. 125

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 57, have had the same under consideration and recommend that the same be amended as follows:

In line 5 strike out the figure \$8,445,000.00 and insert the figure \$11,145,000.00 in lieu thereof.

After line 16 strike out all of the remaining lines and insert in lieu thereof the following:

17	Resident, Non-Resident, & Out-of-State	
18	High School Tuition	5,050,000.00
19	Resident Elementary Aid	5,300,000.00
20	Vocational Agriculture	50,000.00
21	Vocational Home Economics	68,000.00
22	Occupational Information & Guidance	15,000.00
23	Business Education	12,000.00
24	Total	\$11,145,000.00

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 101, have had the same under consideration and recommend that the same be amended as follows:

On Line 6 of the engrossed bill, after the word "thousand" insert the words "five hundred";

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 143, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 183, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 1 and renumber the sections and lines.

In line 7 strike out the words "shall be" and insert in lieu thereof the following: "is hereby established".

In line 133 after the word and period "completed." strike out the remainder of the line and strike out all of lines 134, 135, 136, 137 and strike out the first three words and period "by the recipient." in line 138.

And when so amended recommend the same do pass.

RILIE R. MORGAN, Chairman.

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 227, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted.

Senator Pyle made a substitute motion that House Bill No. 227 be placed on the calendar, which motion prevailed.

Mr. President: A majority of your Committee on Judiciary to whom was referred House Bill No. 240, have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE
S. C. NELSON
G. I. FETON
W. J. BRAUN
EMIL TORNO
CLYDE DUFFY
FRANKLIN PAGE
CARROLL E. DAY

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted.

Mr. President: A minority of your Committee on Judiciary to whom was referred House Bill No. 240, have had the same under consideration and recommend that the same be amended as follows:

In line 7, strike out the comma after "10-0505" and insert, in lieu thereof, a period;

In line 7, strike out the words "provided, however," and capitalize the word "no";

In line 8, strike out the words "stockholders or members" and insert, in lieu thereof, "a stockholder";

In line 9, strike out the word "by" and insert, in lieu thereof, the words "more than one";

In line 14, strike out the words "In an" and strike out all of lines 15, 16 and 17;

In line 21, strike out the word "association" and insert, in lieu thereof, the word "associations".

JOS. SPIEKERMEIER
EDWARD LENO
R. H. LYNCH
O. E. BILDEN
IVER SOLBERG
FRANK ALBERS

And when so amended recommend the same do pass.

Senator Solberg moved that the report be adopted in lieu of the majority report.

Senator Day moved that the majority report on House Bill No. 240 be adopted.

Senator Solberg moved that the minority report be substituted in lieu of the majority report on House Bill No. 240, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 241, have had the same under consideration and recommend that the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 253, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 258, have had the same under consideration and recommend that the same be indefinitely postponed.

CARROLL E. DAY, Chairman.

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 330

Which has been read.

Senator Foss moved that House Bill No. 330 be indefinitely postponed, which motion was declared lost.

Senator Morgan moved that House Bill No. 330 be amended as follows: In line 5 of the printed bill after the word "committee" insert the following language: "having contractual relationships with a labor union." which motion prevailed.

Senator Day moved that House Bill No. 330 be amended as follows: In line 14 of the printed bill before the word "securing" insert the following language: "electing or attempting to elect any state official or", which motion prevailed.

Senator Morgan moved that House Bill No. 330 be placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 25; nays, 23; absent and not voting 1.

Those voting in the affirmative were:

Albers	Lichty	Solberg
Bilden	Lynch	Spiekermeier
Bjorlie	Nelson, McKenzie	Streibel
Blume	Nordhougen	Stucke

Braun	O'Brien	Tuff
Day	Olson, Mountrail	Wahlund
Fraser	Schrock	Welander
Kamrath	Schoeder	Wolf
Leno		

Those voting in the negative were:

Bridston	Krenz	Reinke
Brunsdale	Mehlhoff	Rue
Coghlan	Morgan	Sandness
Duffy	Nelson, Griggs-	Shure
Feton	Steele	Strand
Flatt	Olson, Barnes	Torno
Foss	Page	Troxel
Freed	Pyle	Work

Absent and not voting:

Brant

So the bill was declared lost for lack of a two-thirds majority.

Senator Bridston: I want to explain my vote. I asked the question if this is not a nuisance bill. The question has not been answered. House Bill No. 330 is ambiguous and unworkable. It will not contribute one iota to the cause of labor. I vote "No".

House Bill No. 331

Which has been read.

Senator Duffy moved that House Bill No. 331 be amended as follows: In line 7 of the printed bill, strike out the words "race, creed and color", which motion prevailed.

Senator Duffy moved that House Bill No. 331 be placed upon final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 15; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Reinke
Bilden	Krenz	Schrock
Bjorlie	Leno	Solberg
Blume	Lichty	Spiekermeier
Braun	Lynch	Streibel
Bridston	Mehlhoff	Torno
Day	Nelson, McKenzie	Tuff
Duffy	Nordhogen	Wahlund
Feton	O'Brien	Welander
Fraser	Olson, Mountrail	Wolf
Freed	Page	

Those voting in the negative were:

Coghlan	Olson, Barnes	Shure
Flatt	Pyle	Strand
Foss	Rue	Stucke
Morgan	Sandness	Troxel
Nelson, Griggs-	Schoeder	Work
Steele		

Absent and not voting:

Brant Brunsdale

So the bill was declared lost due to the lack of a two-thirds majority.

House Concurrent Resolution "L"

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Lichty	Schoeder
Bilden	Lynch	Shure
Bjorlie	Mehlhoff	Solberg
Blume	Nelson, McKenzie	Spiekermeier
Braun	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	Olson, Mountrail	Torno
Feton	Olson, Barnes	Troxel
Foss	Page	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welanders
Kamrath	Rue	Wolf
Krenz	Sandness	Work
Leno	Schrock	

Those voting in the negative were:

Duffy	Morgan	O'Brien
Flatt		

Absent and not voting:

Brant	Bridston
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So the bill passed and the title was agreed to.

House Bill No. 132

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 17; nays, 30; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Sandness
Braun	Lichty	Schrock
Coghlan	Lynch	Solberg
Day	Nelson, Griggs-	Troxel
Flatt	Steele	Welanders
Fraser	Pyle	Work

Those voting in the negative were:

Bilden	Leno	Rue
Bjorlie	Mehlhoff	Schoeder
Blume	Morgan	Shure
Brant	Nelson, McKenzie	Spiekermeier
Brunsdale	Nordhougen	Strand
Duffy	O'Brien	Streibel
Feton	Olson, Mountrail	Stucke
Foss	Olson, Barnes	Torno
Freed	Page	Tuff
Krenz	Reinke	Wolf

Absent and not voting:

Bridston Wahlund

So the bill was declared lost for lack of a constitutional majority.

Senator Shure moved that the vote by which House Bill No. 132 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the Senate recess until 1:30 p.m., which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 2, 1949

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 Nos. 65 and 70, Senators Rue, Morgan and Nordhougen.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 2, 1949

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 39.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 2, 1949

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 207, and the President has appointed as a conference committee to act with a like committee from the House, Senators Troxel, Wahlund and Pyle.

W. J. TROUT, Secretary.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 30

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 2, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 30

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 2, 1949

Mr. President: I have the honor to return:

Senate Bill No. 184

Senate Bill No. 192
 Senate Bill No. 195
 Senate Bill No. 208
 Senate Bill No. 209
 Senate Bill No. 226
 Senate Bill No. 229
 Senate Bill No. 233
 Senate Concurrent Resolution "A"
 Senate Concurrent Resolution "E"
 Senate Concurrent Resolution "I"

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, March 2, 1949

Mr. President: I have the honor to return:

Senate Bill No. 63
 Senate Bill No. 66
 Senate Bill No. 68
 Senate Bill No. 70
 Senate Bill No. 72
 Senate Bill No. 77
 Senate Bill No. 97
 Senate Bill No. 99
 Senate Bill No. 110
 Senate Bill No. 117
 Senate Bill No. 167
 Senate Bill No. 169

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, March 2, 1949

Mr. President: I have the honor to transmit:

House Bill No. 156
 House Bill No. 175
 House Bill No. 203
 House Bill No. 254
 House Bill No. 271
 House Bill No. 277
 House Bill No. 279

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 154

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Freed	Reinke
Bjorlie	Kamrath	Rue
Blume	Krenz	Schoeder
Brant	Leno	Shure

Braun	Lynch	Spiekermeier
Bridston	Mehlhoff	Strand
Brunsdale	Morgan	Streibel
Coghlan	Nelson, McKenzie	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Welander
Foss	Page	Wolf
Fraser	Pyle	Work

Those voting in the negative were:

Albers	Schrock	Solberg
Sandness		

Absent and not voting:

Lichty	Nelson, Griggs- Steele	Wahlund
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 223

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 4; absent and not voting, 6.

Those voting in the affirmative were:

Albers	Fraser	Rue
Bilden	Kamrath	Sandness
Bjorlie	Krenz	Schrock
Blume	Leno	Schoeder
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nordhougen	Streibel
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Pyle	Welander
Foss	Reinke	Wolf

Those voting in the negative were:

Freed	Shure	Stucke
Page		

Absent and not voting:

Coghlan	Nelson, Griggs- Steele	Wahlund
Lichty		Work
Morgan		

So the bill passed and the title was agreed to.

House Bill No. 264

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bilden	Krenz	Sandness

Bjorlie	Lichty	Schrock
Blume	Lynch	Shure
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nordhougen	Strand
Brunsdale	O'Brien	Troxel
Coghlan	Olson, Barnes	Tuff
Feton	Page	Welander
Foss	Pyle	Work
Fraser	Reinke	

Those voting in the negative were:

Day	Leno	Streibel
Duffy	Mehlhoff	Stucke
Flatt	Olson, Mountrail	Torno
Freed	Schoeder	Wolf

Absent and not voting:

Nelson, Griggs- Steele	Wahlund
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So the bill passed and the title was agreed to.

Senator Bjorlie moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-EIGHTH DAY

Bismarck, March 2, 1949

The Senate convened at 2:00 p.m., the President presiding.
Prayer by the Chaplain, Rev. Arnold H. Marzolf of Bismarck.

Roll Call: All Senators present except Senator Nelson of Steele and Griggs.

A quorum was declared present by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-sixth day after recess and Fifty-seventh day and find the same correct.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF AMENDMENTS

Senator Brunsdale moved that the amendments to House Bill No. 57 be adopted, which motion prevailed.

Senator Day moved that the amendments to House Bill No. 101 be adopted, which motion prevailed.

Senator Brunsdale moved that the amendments to House Bill No. 183 be adopted, which motion prevailed.

Senator Solberg moved that the amendments to House Bill No. 240 be adopted, which motion prevailed.

MOTIONS

The Senate was on the eighth order of business.

Senator Day moved that the House be requested to return House Concurrent Resolution "M", which motion prevailed.

Senator Braun moved that House Bill No. 306 be placed at the head of the calendar, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 2, 1949

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Concurrent Resolution "M".

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 2, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 163
House Bill No. 194
House Bill No. 224
House Bill No. 284
House Bill No. 314
House Bill No. 335
House Concurrent Resolution "L"
Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 2, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 112
House Bill No. 132
House Bill No. 253
House Bill No. 258
House Bill No. 330
House Bill No. 331

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 306

Was read the second time.

Senator Day moved that House Bill No. 306 be amended as follows:

On line five of the title, insert a comma after the word "County" and add the following words "City, Village".

On line six of the title, strike out the word "Construction".

Insert a comma at the end of line seven of the title and add the words "cities, villages".

On line nine of the title, strike out the word "improvement" and insert the word "repair".

On line ten of the title, strike out the word "and" between the words "construction and reconstruction", insert a comma after the word "reconstruction" and add the words "repair and maintenance of city, village". Strike out the comma at the end of the line and add the word "and".

On line thirty-five of the printed bill after the word county, insert a comma and add the words "City, Village".

On line thirty-six of the printed bill, strike out the word "Construction".

On line forty of the printed bill, strike out the word "Fifty" and insert the word "Twenty-five".

On line forty-two of the printed bill, strike out the word "Fifty" and insert the word "Seventy-five".

On line forty-eight of the printed bill, strike out the word "Construction" and insert the word "Highway".

On line forty-nine of the printed bill, insert a comma after the word "construction", strike out the word "and" and insert the words "and maintenance", after the word "county" add the words "city, village".

On line fifty of the printed bill, strike out the word "highways" and insert the words "public highways".

On line fifty-four of the printed bill, strike out the word "fifty" and insert the word "seventy-five".

On line sixty of the printed bill, strike out the word "fifty" and insert the word "One-third".

On line sixty-one of the printed bill, strike out the word "percent" and strike out the word "Construction" and insert the word "Highway".

On line sixty-three of the printed bill, after the word "construction" insert the words "or maintenance" and after the word "township" insert the word "public".

After the period on line sixty-three of the printed bill, insert the following language: "One fourth of the funds allocated to the "Special County Highway Fund" shall be disbursed by the county to the cities and villages therein on the basis which the population of any city or village within the county bears to the total population of the cities and villages within the county, according to the last official decennial federal or state census. The moneys received by the governing body of any city or village shall be set aside in a separate fund to be used only for the construction, reconstruction, repair and maintenance of public highways within such city or village".

Senator Day requested that a roll call be taken, which request was granted.

ROLL CALL

The question was on the motion of Senator Day to amend House Bill No. 306, the roll was called and there were ayes, 16; nays, 31; absent and not voting, 2.

Those voting in the affirmative were:

Braun	Foss	Pyle
Bridston	Freed	Rue
Brunsdale	Mehlhoff	Sandness
Day	Morgan	Shure
Duffy	Olson, Barnes	Torno
Flatt		

Those voting in the negative were:

Albers	Lichty	Solberg
Bilden	Lynch	Spiekermeier
Bjorlie	Nelson, McKenzie	Strand

Blume	Nordhougen	Streibel
Brant	O'Brien	Stucke
Coghlan	Olson, Mountrail	Tuff
Feton	Page	Wahlund
Fraser	Reinke	Welander
Kamrath	Schrock	Wolf
Krenz	Schoeder	Work
Leno		

Absent and not voting:

Nelson, Griggs-	Troxel
Steele	

So the motion was declared lost.

Senator Work requested a call of the Senate, which request was granted.

Senator Braun moved that the call of the Senate be dispensed with, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 27; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Lynch	Schrock
Bjorlie	Mehlhoff	Strand
Coghlan	Nelson, McKenzie	Torno
Duffy	Nordhougen	Troxel
Feton	Olson, Barnes	Wahlund
Freed	Rue	Welander
Lichty	Sandness	Wolf

Those voting in the negative were:

Albers	Fraser	Reinke
Blume	Kamrath	Schoeder
Brant	Krenz	Shure
Braun	Leno	Solberg
Bridston	Morgan	Spiekermeier
Brunsdale	O'Brien	Streibel
Day	Olson, Mountrail	Stucke
Flatt	Page	Tuff
Foss	Pyle	Work

Absent and not voting:

Nelson, Griggs-
Steele

So the bill was declared lost.

Senator Work changed his vote from aye to nay for purpose of reconsideration.

Senator Solberg: Mr. President, I want to explain my vote on House Bill No. 306. I am of the firm conviction that roads should pay their own way. However, we have an appropriation made from the general fund and as it now looks this legislature is going to pass that appropriation. I am opposed to any further taxes on the people of North Dakota at this time.

The Senate was on the eighth order of business.

Senator Shure moved that the Senate extend a vote of thanks to the cities of this State for the assistance and help they have given the Senate in solving the cities' financial difficulties, which motion prevailed.

Senator Morgan: I have served in the Senate for six sessions and this is the second time in all that time that I have explained my vote. I voted against this motion because I think it is cynical. I think it adds insult to injury to 200,000 people of the State of North Dakota who live in the towns, cities and villages that are in dire financial status at the present time. I think it is unfortunate that this legislature did not attempt to give some intelligent consideration to the problems which confront these towns and cities today, and I make the prediction, and I take no credit for being a prophet—that two years from now you will come back to this legislature and find many of the towns, cities and villages in this State bankrupt or worse, and you will have to do something for them. I think it is below the dignity of this Senate to add insult to injury which I believe, is the meaning of this motion.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 2, 1949

Mr. President: I have the honor to return:

Senate Bill No. 114, which the House has amended as follows:

In Section 15. In line 275 after the word "property" insert the words "in such district".

In Section 24. In line 446, after the word "provided" strike out the words "in section"

In line 447, strike out the figures "61-1623" and insert in lieu thereof the word "herein".

In line 297 strike out the word "county" and insert the word "district".

In line 390, after the word "board" insert the following language "within thirty days after such hearing".

Renumber the lines.

Senate Bill No. 118, which the House has amended as follows:

In line 525 strike out the following "Section 28-3201" and add the following: "Chapter 28-32"

Senate Bill No. 243, which the House has amended as follows:

In line 16 strike out the words "It shall Be" and strike out all the words in Lines 17 and 18.

In line 19 strike out the words "member anywhere within the capitol building".

In line 22, insert a period after the word "legislator" and strike out the word "in".

In line 23, strike out the words "any office in the capitol building".

Renumber the lines accordingly.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 2, 1949

Mr. President: I have the honor to return:

Senate Bill No. 158

Which the House has indefinitely postponed.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 2, 1949

Mr. President: I have the honor to return:

Senate Bill No. 93

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 2, 1949

Mr. President: I have the honor to transmit:

House Concurrent Resolution "Q"

House Concurrent Resolution "S"

House Concurrent Resolution "T"

House Concurrent Resolution "W"

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 2, 1949

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. 207, Reps. Maher, Thompson of Richland and Bentz.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 2, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution "F".

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 2, 1949

Mr. President: I have the honor to inform you that the House is returning House Concurrent Resolution "M" which the Senate has requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 2, 1949

Mr. President: I have the honor to return:

Senate Bill No. 30

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 30

Was delivered to the Governor for his approval at the hour of 3:30 p. m., o'clock, March 2, 1949.

EMIL TORNO, Chairman.

Senator Strand moved that after the reading of House Bills Nos. 54, 158, 272, 290, 291, 292, that the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

The Senate was on the eighth order of business.

Senator Rue: We have a distinguished visitor here in the chambers this afternoon, Colonel Seybold of the United States Army Engineers, who is in charge of the Garrison Dam and the snow removal program in North Dakota. I move that the President appoint a committee of one to escort Colonel Seybold to the rostrum, which motion prevailed.

Mr. President: I appoint Senator Rue as a committee of one to escort Colonel Seybold to the rostrum.

Colonel Seybold was escorted to the rostrum by Senator Rue.

Mr. President: Colonel Seybold we would be glad to have you tell us something about the snow problem which we have. The floor is yours.

Colonel Seybold: Mr. President, Members of the Senate of North Dakota, employees and visitors. I appreciate the honor of being here with you this afternoon and I assure you that I will not talk on the Garrison dam. I would like to say a few words though as to the operation known as the snow war. I think it may help you to tell some of your constituents how we do this and what we do this with. The mechanics are rather simple. Your Governor declared certain counties of this State to be in distress and emergency counties. He requested assistance from the President of the United States, who in turn directed the Federal Works Administration to give that assistance to the State. The Federal Works Administration requested the Fifth Army to do the job. It means just simply this—that we have authority in certain counties of your State to operate. Outside of those counties we have no authority and can spend no money. Actually we are operating in eighteen counties. I would like to name them—because several of you men are from these counties or close to them. Divide, Burke, Mountrail, McIntosh, Oliver, Morton, Renville, Ward, Bottineau, Pierce, Benson, Wells, Cavalier, Towner, McHenry, Mercer, Rolette, Sheridan, representing a good part of this State. We have completed the work in 8 counties, Golden Valley, Billings, Bowman, Stark, Grant, Adams, Hettinger and Slope. We expect to complete the work in Dunn County in 24 hours today, meaning at midnight tonight. The work we have done so far—we have cleared 17,060 miles of road. Some have been cleared several times. We estimate that we have liberated about 60,000 people and 240,000 cattle. Our operations are not conducted by soldiers. There are very few, maybe 28 officers on this job. The work is really being done by civil service personnel of the Federal government and contractors. The caterpillar operator is the man that is solving the road problem in North Dakota today. He is the individual that sits on the cat, 24 hours, in shifts, they are relieved in shifts, but these operators do work day and night. They are the unsung heroes of this snow war because oftentimes the job is a cold job and it has been down to 10 to 20 below and still they are bulldozing the snow off your roads. We are requested to help as a relief problem. It is not a matter of maintaining county roads. It is not a matter of maintaining state roads because we have no authority to continually keep roads open. We are out here to rescue those farmers and to help people who have been snowbound for weeks and possibly months, to gain access so that they can

get through to their stock, and we have opened a great mileage in the farm yards. Those dozers move right out to the hay stacks that the feed can be brought to the cattle or the cattle to the feed. Those drifts that you have seen—and I hope you have looked at our pictures out here, are a sample of the snow drifts we have met in the field. Many of you know how the dozers are built and what they can do with earth jobs, and they operate the same in the snow. We have 1835 people working now. We have 441 pieces of equipment working. In addition to that we have a percentage of our equipment that is in for repairs, and I would say that we probably have 30 or 40 pieces of equipment that worked part of the day. We have delivered about 1000 lbs of emergency food by weasels, which is an army gadget which takes right out across the field, and works with the Red Cross. It takes groceries, fuel or whatever is necessary, doctors sometimes and very frequently brings patients to the towns. These weasels are operated by army personnel. They are the only person who have been trained for the job. We have delivered about 1000 lbs of food and about 2½ tons of fuel. There is one thing that you fellows can help with, and I apologize for using that word, the operators in the field are entirely dependent, in their efficiency, on the cooperation of the people. When we go into a county we establish an office generally in the County seat, if not, then in some other convenient town where the road net radiates out. We ask the County Commissioners to tell us where the emergency is the greatest, where the need is the greatest, and we set up our equipment on the basis of their information. In a way they possibly run interference for us.

The people should talk to the County Commissioners and state the urgency of their need so that we can attack that portion of the County or that township in the County which needs it the greatest. They have not the time to talk to all of the people of the County and they should tell their needs to the County Commissioners. We try to rate the needs and get over the ones that are urgent first. We have many long distance calls. We have calls from the people who are afraid that we are going to get out of the county before the job is done. We don't and we won't leave until we get a clearance from the Governor of this State. The Governor contacts the County Commissioners, and then there is an agreement between the men in the field and the Governor before we can leave.

I started this cold war down in Nebraska the latter part of January, as sort of a staff associate to General Pick, and I tell you the conditions north of here are worse than they are down there. One feature of the fight against the snow is that the men are tired. They came up the long way, starting operating in Nebraska and then South Dakota, and some of them were way out in Wyoming, working every day and they are tired and weary. I have seen the results of that tiredness coming from the fields where they are likely to give snappy answers to the people which they would not do if they were not tired out. So I ask, when you hear from the people in the field, just remember that they have been out a long time under hard conditions. If there are any criticisms they are taken up with the head office. This equipment has been brought many miles, some from the Twin Cities, some from Sheridan, Wyoming. The people at the County seat know the ropes. We don't attempt to open the front doors. The reason for

that is that we can get access to the back doors quicker. We do not polish and we do not maintain and there is one thing that I would like to stress and that is when our tractor operators drive into your farms, at ten o'clock, or two o'clock in the morning, and it sometimes is that when they get through, the farmers should get right out and replenish their supplies so that we won't have to do it over again the next day. You all know that a blizzard may come up any minute and we may be stopped again. They should re-supply themselves as soon as they get the road knocked open.

I do appreciate, and I would like to say here, the kind thoughts that your body sent to my office and I assure you the job has been done through the cooperation of all the people of the State, and the man you should really thank is the private first class who sits on the DA tractor.

Senator Rue moved that the remarks of Colonel Seybold be printed in the Journal, which motion prevailed.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 39

Senate Bill No. 112

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

The Senate was on the eighth order of business.

Senator Morgan moved that the Senate reconsider its action in passing House Bill No. 66, which motion prevailed.

Senator Morgan moved that House Bill No. 66 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 66

Which has been read.

Senator Morgan moved that House Bill No. 66 be amended as follows: In line 72 of the bill as amended by the Senate, strike out the figures "\$2,735,955.00 and insert the figure \$2,739,265.00," which motion prevailed.

Senator Morgan moved that House Bill No. 66 be placed on passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhaff	Shure
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno

Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Work
Krenz	Rue	

Absent and not voting:

Flatt	Foss	Wolf
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So the bill passed and the title was agreed to.

Senator Morgan 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.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 2, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 66

Which the Senate has amended.

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 324

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were, ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Rue	

Those voting in the negative were:

Tuff

Absent and not voting:

Flatt	Foss
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So the bill passed and the title was agreed to.

House Bill No. 54

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Lichty	Sandness
Blume	Lynch	Schrock
Brant	Mehlhoff	Schoeder
Braun	Morgan	Shure
Bridston	Nelson, McKenzie	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nordhougen	Streibel
Duffy	O'Brien	Stucke
Feton	Olson, Mountrail	Torno
Fraser	Olson, Barnes	Troxel
Freed	Page	Wahlund
Kamrath	Pyle	Welander
Krenz	Reinke	Wolf
Leno	Rue	Work

Those voting in the negative were:

Albers	Bjorlie	Tuff
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Absent and not voting:

Flatt	Foss
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So the bill passed and the title was agreed to.

House Bill No. 158

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 18; nays, 30; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Fraser	Rue
Braun	Lichty	Shure
Bridston	Morgan	Troxel
Brunsdale	Olson Mountrail	Wahlund
Duffy	Olson, Barnes	Wolf
Flatt	Pyle	Work

Those voting in the negative were:

Albers	Lynch	Schrock
Bjorlie	Mehlhoff	Schoeder
Blume	Nelson, McKenzie	Solberg
Brant	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nordhougen	Streibel
Feton	O'Brien	Stucke
Freed	Page	Torno
Kamrath	Reinke	Tuff
Krenz	Sandness	Welander
Leno		

Absent and not voting:

Foss

So the bill was declared lost for lack of a constitutional majority.

House Bill No. 272

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhougen	Stucke
Day	O'Brien	Torno
Duffy	Olson Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Absent and not voting:

Foss

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 290

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Shure
Braun	Morgan	Solberg
Bridston	Nelson, McKenzie	Spiekermeier
Brunsdale	Nelson, Griggs-	Strand
Coghlan	Steele	Streibel
Day	Nordhougen	Stucke
Duffy	O'Brien	Torno
Feton	Olson Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Rue	

Absent and not voting:

Albers

Foss

Troxel

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 291

Which has been read.

ROLL CALL

The question being on the final passage of the bill,

as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Brant	Morgan	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Bridston	Steele	Strand
Brunsdale	Nordhougen	Streibel
Coghlan	O'Brien	Stucke
Day	Olson Mountrail	Torno
Feton	Olson, Barnes	Troxel
Flatt	Page	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Wolf
Krenz	Sandness	Work
Leno		

Absent and not voting:

Albers	Foss	Nelson, McKenzie
Duffy		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 292

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Schoeder
Brant	Mehlhoff	Shure
Braun	Morgan	Solberg
Brunsdale	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Day	Nordhougen	Streibel
Duffy	O'Brien	Torno
Feton	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Fraser	Pyle	Wahlund
Freed	Page	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work

Absent and not voting:

Albers	Foss	Stucke
Bridston	Nelson, McKenzie	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Braun moved that the Senate do concur in the House amendment to Senate Bill No. 114, which motion prevailed.

Senator Braun moved that the rules be suspended and that Senate Bill No. 114 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 114

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Blume	Lichty	Schoeder
Bjorlie	Mehlhoff	Shure
Brant	Morgan	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nordhougen	Streibel
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Bridston	Lynch	Stucke
Foss	Nelson, McKenzie	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that the Senate do not concur in the House amendment to Senate Bill No. 118, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as such Conference Committee, Senators Day, Schoeder and Coghlan.

Senator Day moved that the Senate do not concur in the House amendment to Senate Bill No. 243 and that a Conference Committee be appointed, which motion prevailed.

The President appointed as such Conference Committee, Senators Duffy, Shure and Day.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 2, 1949

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 63 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Stair, Storman of Ramsey, and Kleppe.

GEORGE OLSON, Chief Clerk.

Senator Morgan moved that a Conference Committee be appointed on House Bill No. 63, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 63, Senators Nordhougen, Morgan and Freed.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 207, have had the same under consideration and recommended:

That the House amendment to Line 7, Section 2, be revised to read: "In Section 2, line 7, after the second word 'any' insert the word 'registered' and in line 7, after the word 'branded' strike out the word 'or'."

For the Senate:

WALTER TROXEL
KENNETH K. PYLE
OSCAR WAHLUND

For the House:

A. A. BENTZ
JAMES J. MAHER
RAY THOMPSON

Senator Troxel moved that the report be adopted.

Senator Brunsdale moved that the Senate refuse to concur in the Conference Committee report on Senate Bill No. 207 and that another Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 207, Senators Troxel, Pyle and Wahlund.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 2, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 54
House Bill No. 223
House Bill No. 272
House Bill No. 290
House Bill No. 291
House Bill No. 292
House Bill No. 324

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 2, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 154

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 2, 1949

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. 63, Senators Nordhaugen, Morgan and Freed.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 2, 1949

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 118, and the President has appointed as a conference committee to act with a like committee from the House, Senators Day, Schoeder and Coghlan.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 2, 1949

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 243, and the President has appointed as a conference committee to act with a like committee from the House, Senators Duffy, Shure and Day.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 2, 1949

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 114.

W. J. TROUT, Secretary.

Senator Brunsdale moved that the vote by which House Bills Nos. 284, 314, 335, 194, House Concurrent Resolution "L", House Bills Nos. 154, 223, 324, 54, 272, 290, 291, 292, was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale moved that the Senate recess until 1:00 p.m., March 3, 1949, which motion prevailed.

W. J. TROUT, Secretary.

**FIFTY-EIGHTH DAY AFTER RECESS
AND FIFTY-NINTH DAY****Bismarck, March 3, 1949**

The Senate convened at 1:00 p. m., pursuant to recess taken,
the President presiding.

REPORT OF STANDING COMMITTEES

The committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No.	3
Senate Bill No.	5
Senate Bill No.	6
Senate Bill No.	7
Senate Bill No.	8
Senate Bill No.	26
Senate Bill No.	31
Senate Bill No.	35
Senate Bill No.	36
Senate Bill No.	44
Senate Bill No.	53
Senate Bill No.	54
Senate Bill No.	57
Senate Bill No.	58
Senate Bill No.	59
Senate Bill No.	62
Senate Bill No.	63
Senate Bill No.	64
Senate Bill No.	65
Senate Bill No.	66
Senate Bill No.	67
Senate Bill No.	68
Senate Bill No.	70
Senate Bill No.	72
Senate Bill No.	73
Senate Bill No.	77
Senate Bill No.	89
Senate Bill No.	90
Senate Bill No.	92
Senate Bill No.	95
Senate Bill No.	96
Senate Bill No.	97
Senate Bill No.	99
Senate Bill No.	103
Senate Bill No.	105
Senate Bill No.	110
Senate Bill No.	117
Senate Bill No.	130
Senate Bill No.	131

Senate Bill No. 132
Senate Bill No. 134
Senate Bill No. 135
Senate Bill No. 136
Senate Bill No. 140
Senate Bill No. 142
Senate Bill No. 143
Senate Bill No. 145
Senate Bill No. 146
Senate Bill No. 151
Senate Bill No. 155
Senate Bill No. 162
Senate Bill No. 163
Senate Bill No. 165
Senate Bill No. 167
Senate Bill No. 168
Senate Bill No. 169
Senate Bill No. 170
Senate Bill No. 181
Senate Bill No. 183
Senate Bill No. 184
Senate Bill No. 185
Senate Bill No. 187
Senate Bill No. 192
Senate Bill No. 194
Senate Bill No. 195
Senate Bill No. 196
Senate Bill No. 197
Senate Bill No. 200
Senate Bill No. 208
Senate Bill No. 209
Senate Bill No. 210
Senate Bill No. 211
Senate Bill No. 212
Senate Bill No. 213
Senate Bill No. 215
Senate Bill No. 217
Senate Bill No. 226
Senate Bill No. 229
Senate Bill No. 231
Senate Bill No. 233
Senate Bill No. 234
Senate Bill No. 236
Senate Bill No. 240
Senate Bill No. 242

Were delivered to the Governor for his approval at the hour of 1:30 p. m., o'clock, March 3, 1949.

EMIL TORNO, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "A"
Senate Concurrent Resolution "B"
Senate Concurrent Resolution "E"
Senate Concurrent Resolution "I"
Senate Concurrent Resolution "M"
Senate Concurrent Resolution "N"
Senate Memorial Resolution "B"

Were delivered to the Secretary of the State at the hour of 1:30 p. m., o'clock, March 3, 1949.

EMIL TORNO, Chairman.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 39
 Senate Bill No. 43
 Senate Bill No. 50
 Senate Bill No. 112
 Senate Bill No. 120
 Senate Bill No. 125
 Senate Concurrent Resolution "R"

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 2
 House Bill No. 26
 House Bill No. 32
 House Bill No. 55
 House Bill No. 56
 House Bill No. 80
 House Bill No. 133
 House Bill No. 137
 House Bill No. 138
 House Bill No. 139
 House Bill No. 156
 House Bill No. 175
 House Bill No. 191
 House Bill No. 202
 House Bill No. 203
 House Bill No. 217
 House Bill No. 228
 House Bill No. 231
 House Bill No. 236
 House Bill No. 242
 House Bill No. 245
 House Bill No. 248
 House Bill No. 249
 House Bill No. 254
 House Bill No. 256
 House Bill No. 262
 House Bill No. 268
 House Bill No. 271
 House Bill No. 277
 House Bill No. 279
 House Bill No. 307
 House Bill No. 334
 House Bill No. 336
 House Bill No. 337
 House Bill No. 338
 House Bill No. 339
 House Bill No. 340
 House Bill No. 343
 House Bill No. 347
 House Concurrent Resolution "Q"
 House Concurrent Resolution "S"
 House Concurrent Resolution "W"
 House Concurrent Resolution "T"

And the President signed the same in the presence of the Senate.

THURSDAY, MARCH 3, 1949

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MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 39
Senate Bill No. 43
Senate Bill No. 50
Senate Bill No. 112
Senate Bill No. 120
Senate Bill No. 125

Senate Concurrent Resolution "R"

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 3, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 2
House Bill No. 6
House Bill No. 10
House Bill No. 26
House Bill No. 32
House Bill No. 55
House Bill No. 56
House Bill No. 58
House Bill No. 59
House Bill No. 80
House Bill No. 84
House Bill No. 85
House Bill No. 105
House Bill No. 133
House Bill No. 137
House Bill No. 138
House Bill No. 139
House Bill No. 140
House Bill No. 156
House Bill No. 167
House Bill No. 168
House Bill No. 169
House Bill No. 170
House Bill No. 175
House Bill No. 187
House Bill No. 191
House Bill No. 202
House Bill No. 203
House Bill No. 210
House Bill No. 214
House Bill No. 217
House Bill No. 218
House Bill No. 228
House Bill No. 231
House Bill No. 236
House Bill No. 237
House Bill No. 238
House Bill No. 239
House Bill No. 242
House Bill No. 245
House Bill No. 248

House Bill No. 249
 House Bill No. 254
 House Bill No. 256
 House Bill No. 262
 House Bill No. 268
 House Bill No. 271
 House Bill No. 277
 House Bill No. 279
 House Bill No. 307
 House Bill No. 319
 House Bill No. 329
 House Bill No. 334
 House Bill No. 336
 House Bill No. 337
 House Bill No. 338
 House Bill No. 339
 House Bill No. 340
 House Bill No. 343
 House Bill No. 347
 House Concurrent Resolution "Q"
 House Concurrent Resolution "S"
 House Concurrent Resolution "T"
 House Concurrent Resolution "W"
 House Joint Memorial Resolution "A"

Which the President has signed.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 3, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 5
 House Bill No. 21
 House Bill No. 282
 House Bill No. 288

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 3, 1949

Mr. President: I have the honor to request the Senate to return Senate Bill No. 243 which was messaged over in error.

GEORGE OLSON, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1949

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the conference committee report on Senate Bill No. 207, and the President has appointed as a new conference committee to act with a like committee from the House, Senators Troxel, Wahlund and Pyle.

W. J. TROUT, Secretary.

The Senate was on the 13th order of business.

Senator Brunsdale moved that the rules be suspended and that House Bills Nos. 57, 101 and 183 be placed on the calendar for final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 57

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Bilden	Kamrath	Schrock
Bjorlie	Krenz	Schoeder
Blume	Leno	Shure
Brant	Lichty	Solberg
Braun	Lynch	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	O'Brien	Torno
Day	Olson, Mountrail	Troxel
Duffy	Olson, Barnes	Tuff
Feton	Pyle	Wahlund
Flatt	Reinke	Welander
Fraser	Rue	Wolf
Freed	Sandness	Work

Absent and not voting:

Albers	Nelson, Griggs-	Page
Foss	Steele	Stucke
Mehlhoff	Nordhougen	

So the bill passed and the title was agreed to.

House Bill No. 101

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Kamrath	Schrock
Bilden	Krenz	Schoeder
Bjorlie	Leno	Shure
Blume	Lichty	Solberg
Brant	Lynch	Spiekermeier
Braun	Mehlhoff	Strand
Bridston	Nelson, McKenzie	Streibel
Brunsdale	O'Brien	Torno
Coghlan	Olson, Mountrail	Troxel
Day	Olson, Barnes	Tuff
Duffy	Page	Wahlund
Feton	Pyle	Welander
Flatt	Reinke	Wolf
Fraser	Rue	Work
Freed	Sandness	

Absent and not voting:

Foss	Nelson, Griggs-	Nordhougen
Morgan	Steele	Stucke

So the bill passed and the title was agreed to.

House Bill No. 183

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Fraser	Pyle	Welder
Freed	Reinke	Wolf
Kamrath	Rue	Work

Absent and not voting:

Foss Page

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Bjorlie moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-NINTH DAY

Bismarck, March 3, 1949

The Senate convened at 2:00 p.m., the President presiding. Prayer by the Chaplain, Rev. Arnold H. Marzolf of Bismarck.

Roll Call: All Senators present except Senator Foss.

A quorum was declared present by the President.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 3, 1949

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 54 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Stair, Johnson and Culver.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 3, 1949

Mr. President: I have the honor to inform you that the

House has adopted the conference committee report on Senate Bill No. 207.

GEORGE OLSON, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 158

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-seventh day after recess and Fifty-eighth day and recommend that the same be corrected as follows:

Page 724, line 18, correct the spelling of the word "consideration".

Page 738, line 55, correct the spelling of the word "maintaining".

Page 739, line 16, insert the word "field" between the words "the" and "and"; line 20, correct the spelling of the word "trained"; line 32, correct the spelling of the word "talk" and at the end of line 32 insert the word "state"; line 47, add the letter "s" to the word "condition"; line 57, add the letter "s" to the word "criticism";

Page 740, line 2, correct the spelling of the word "access".

Page 745, line 3, correct the spelling of the word "be".

And when so corrected recommend that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill.

Senate Bill No. 114

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 207, have had the same under consideration and recommend:

That the House amendment to Line 7, Section 2, be revised to read: "In Section 2, line 7, after the second word 'any' insert the word 'registered' and in line 7, after the word 'branded' strike out the word 'or' " and that the Senate concur in all other House amendments.

For the Senate:

WALTER TROXEL
KENNETH K. PYLE
OSCAR WAHLUND

For the House:

A. A. BENTZ
 JAMES J. MAHER
 RAY THOMPSON

Senator Troxel moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Troxel moved that the rules be suspended and that Senate Bill No. 207 be deemed properly re-engrossed and placed upon second reading and final passage, as amended in Conference Committee, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 207

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in conference committee, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Mehlhoff	Shure
Brant	Morgan	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel
Coghlan	Nordhogen	Stucke
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Feton	Olson, Barnes	Tuff
Flatt	Page	Wahlund
Fraser	Pyle	Welander
Freed	Reinke	Wolf
Kamrath	Rue	Work
Krenz		

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 134 made the following report:

Mr. President: Your Conference Committee to whom was referred House Bill No. 134, have had the same under consideration and recommend that the House concur in the Senate amendments.

For the Senate:

CLYDE DUFFY
 E. C. STUCKE
 J. B. BRIDSTON

For the House:

E. D. CULVER
 C. E. WALSTER
 EMERY COTE

Senator Duffy moved that the report be adopted, which motion prevailed and the report was adopted.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Brunsdale moved that the Senate return Senate Bill No. 243 to the House, as requested, which motion prevailed.

Senator Morgan moved that a Conference Committee be appointed on House Bill No. 54, which motion prevailed.

The President appoint as such conference committee on House Bill No. 54, Senators Morgan, Nelson of McKenzie and Shure.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1949

Mr. Speaker: I have the honor to return:

Senate Bill No. 243

Which the House has requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 3, 1949

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. 54, Senators Morgan, Nelson of McKenzie, and Shure.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 3, 1949

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 163 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Mollet, Wadeson and Erickson.

GEORGE OLSON, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1949

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on Senate Bill No. 207.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 3, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 344, 66, 194, 223, 224, 272, 284, 290, 291, 324, 335 and House Concurrent Resolutions "Y" and "L".

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 3, 1949

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 314 and the Speaker has appointed as a

conference committee to act with a like committee from the Senate, Reps. Graham, Haugland and Lillehaugen.

GEORGE OLSON, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 227

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays 22; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Freed	Sandness
Bjorlie	Kamrath	Schrock
Blume	Krenz	Spiekermeier
Braun	Lichty	Strand
Brunsdale	Nelson, McKenzie	Troxel
Coghlan	Nelson, Griggs-	Tuff
Feton	Steele	Wahlund
Flatt	Pyle	Wolf
Fraser	Reinke	Work

Those voting in the negative were:

Albers	Morgan	Schoeder
Brant	Nordhougen	Shure
Bridston	O'Brien	Solberg
Day	Olson Mountrail	Streibel
Duffy	Olson, Barnes	Stucke
Leno	Page	Torno
Lynch	Rue	Welander
Mehlhoff		

Absent and not voting:

Foss

So the bill passed and the title was agreed to, and so the emergency clause was declared lost.

House Bill No. 240

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 21; nays, 27; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Lichty	Solberg
Bilden	Lynch	Streibel
Bjorlie	Nelson, McKenzie	Stucke
Blume	Nordhougen	Tuff
Fraser	O'Brien	Wahlund
Kamrath	Olson Mountrail	Welander
Leno	Schrock	Wolf

Those voting in the negative were:

Brant	Krenz	Rue
Braun	Mehlhoff	Sandness
Bridston	Morgan	Schoeder
Brunsdale	Nelson, Griggs-	Shure
Coghlan	Steele	Spiekermeier
Day	Olson, Barnes	Strand

Duffy	Page	Torno
Feton	Pyle	Troxel
Flatt	Reinke	Work
Freed		

Absent and not voting:

Foss

So the bill was declared lost.

The Senate was on the eighth order of business.

Senator Day moved that the Senate reconsider its action in indefinitely postponing House Concurrent Resolution "M".

Senator Troxel requested a roll call, which request was granted.

ROLL CALL

The question was on the motion of Senator Day that the Senate reconsider its action in indefinitely postponing House Concurrent Resolution "M", the roll was called and there were ayes, 39; nays, 9; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Lichty	Shure
Bjorlie	Lynch	Solberg
Blume	Nelson, McKenzie	Spiekermeier
Brant	Nelson, Griggs-	Strand
Braun	Steele	Streibel
Bridston	Nordhougen	Stucke
Brunsdale	Olson Mountrail	Torno
Coghlan	Olson, Barnes	Troxel
Day	Reinke	Tuff
Duffy	Rue	Wahlund
Fraser	Sandness	Welander
Kamrath	Schrock	Wolf
Krenz	Schoeder	Work
Leno		

Those voting in the negative were:

Albers	Freed	O'Brien
Feton	Mehlhoff	Page
Flatt	Morgan	Pyle

Absent and not voting:

Foss

So the motion was declared carried.

Senator Day moved that House Concurrent Resolution "M" be placed at the head of the calendar, which motion prevailed.

House Concurrent Resolution "M"

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, 37; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Bilden	Krenz	Schrock
Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Nelson, McKenzie	Spiekermeier
Bridston	Nelson, Griggs-	Strand
Brunsdale	Steele	Streibel

Coghlan	Nordhougen	Troxel
Day	Olson Mountrail	Tuff
Duffy	Olson, Barnes	Wahlund
Fraser	Reinke	Welander
Freed	Rue	Wolf
Kamrath	Sandness	

Those voting in the negative were:

Albers	Morgan	Pyle
Feton	O'Brien	Torno
Flatt	Page	Work
Mehlhaff		

Absent and not voting:

Foss	Stucke
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So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Brant moved that the President appoint a Conference Committee on House Bill No. 163, which motion prevailed.

The President appointed as such Conference Committee on House Bill No. 163, Senator Brant, Senator Streibel and Senator Feton.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1949

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. 163, Senators Brant, Streibel and Feton.

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILL

House Bill No. 241

Was read the second time.

Senator Duffy moved that House Bill No. 241 be amended as follows:

Strike out everything after the words "A BILL" and insert the following:

"For an Act relating to the amendment of by-laws of cooperative marketing associations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) The stockholders of a cooperative marketing association shall have the power at their annual meeting, or at any special meeting called for that purpose, to amend, modify, or change existing by-laws or to make new by-laws for the management and conduct of the association, notwithstanding any provisions in the by-laws to the contrary. In an association consisting of fifty or more stockholders, a quorum at such stockholders meeting shall consist of at least twenty-five stockholders. In an association consisting of less than fifty stockholders, a quorum at such stockholders' meeting shall consist of a majority of the stockholders present in person with at least twenty per cent of its stockholders present. The certification and recording of by-laws and amendments thereto, and the effective date of amendments

and repeals of by-laws shall be governed by section 10-0506." which motion prevailed.

Senator Duffy moved that House Bill No. 241 be placed upon second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 38; nays, 7; absent and not voting, 4.

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Morgan	Shure
Brant	Nelson, McKenzie	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Brunsdale	Steele	Strand
Coghlan	Nordhougen	Streibel
Day	O'Brien	Torno
Duffy	Olson, Mountrail	Troxel
Fraser	Olson, Barnes	Tuff
Freed	Page	Wahlund
Kamrath	Reinke	Welander
Leno	Sandness	Wolf

Those voting in the negative were:

Feton	Mehlhoff	Rue
Flatt	Pyle	Work
Krenz		

Absent and not voting:

Albers	Foss	Stucke
Bridston		

So the bill passed and the title was agreed to.

Senator Strand moved that after the reading of House Bill No. 143 that the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

The Senate was on the eleventh order of business.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Olson of Barnes moved that the President appoint a Conference Committee on House Bill No. 314, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 314, Senators Olson of Barnes, O'Brien and Nelson of Steele and Griggs.

MOTIONS

Senator Brunsdale moved that the vote by which House Bills No. 57, 101, 183, 227, and 241, was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1949

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. 314, Senators Olson of Barnes, O'Brien and Nelson of Steele and Griggs.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 3, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 57

House Bill No. 101

House Bill No. 183

House Bill No. 241

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 3, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 227

House Bill No. 264

House Concurrent Resolution "M"

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1949

Mr. President: I have the honor to inform you that there has been a change made in the membership of the conference committee which was to consider House Bill No. 54 and the Speaker has appointed Representative Hofstrand replacing Representative Stair.

GEORGE OLSON, Chief Clerk.

House Chamber

Bismarck, March 3, 1949

Mr. President: I have the honor to return:

Senate Bill No. 191

Senate Bill No. 198

Senate Bill No. 214

Senate Bill No. 225

Senate Bill No. 228

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber

Bismarck, March 3, 1949

Mr. President: I have the honor to return:

Senate Concurrent Resolution "F"

Senate Bill No. 127

Senate Bill No. 160

Senate Bill No. 204

Senate Bill No. 243

Which the House has indefinitely postponed.

GEORGE OLSON, Chief Clerk.

SECOND READING OF HOUSE BILL

House Bill No. 143

Was read the second time.

ROLL CALL

The question being on the final passage of the bill,

as amended, the roll was called and there were ayes, 20; nays, 28; absent and not voting, 1.

Those voting in the affirmative were:

Albers	Lynch	Solberg
Bilden	Nelson, McKenzie	Streibel
Bjorlie	Nordhougen	Stucke
Blume	O'Brien	Tuff
Fraser	Olson, Mountrail	Wahlund
Kamrath	Schrock	Welanders
Leno	Schoeder	

Those voting in the negative were:

Brant	Krenz	Rue
Braun	Lichty	Sandness
Bridston	Mehlhoff	Shure
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Torno
Duffy	Olson, Barnes	Troxel
Feton	Page	Wolf
Flatt	Pyle	Work
Freed	Reinke	

Absent and not voting:

Foss

So the bill was declared lost.

Senator O'Brien: Mr. President, I want to explain my vote and I want it recorded in the Journal. When private industry is doing an adequate job, I am opposed to the state entering into competition. With the exception of legislative printing, I am satisfied that the state's printing needs are being fairly supplied by privately owned shops. However, the situation as to legislative printing is not good and appears to be getting worse. The state printer believes that lack of competition is resulting in excessive cost to the state for this necessary printing. This is a controversial matter, but I believe it to be true. In short, to use a slang expression, I believe the state is "over a barrel" insofar as legislative printing is concerned. I deplore this situation and, as protest, I vote Yes on the measure.

Senator Day: I want to explain my vote too. Mr. President, I voted no on this bill although I realize our printing has been a mess. It is my understanding that the cartel is no longer operative.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 226

Which the Senate has amended.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 3, 1949

Mr. President: I have the honor to return:

Senate Bill No. 1

Which the House has amended, as follows:

In Section 2 of the engrossed bill, strike out all of lines 22

and 23 and the first two words and period following in line 24. Insert in lieu thereof the following:

"sell to the Bank of North Dakota at par as soon as practicable after the effective date of this Act all of the bonds authorized to be issued under the provisions of this Act. The Bank of North Dakota is authorized to sell such bonds at private sale to state departments, political sub-divisions and residents of the state of North Dakota at not less than par and accrued interest. When no further sales can be had to such purchasers in the state, if found necessary to make further sales of said bonds, they shall be advertised for sale in the Wall Street Journal, New York City; Chicago Journal of Commerce, Chicago, Illinois; The Bond Buyer, New York City; and the Commercial West, Minneapolis, Minnesota; but such bonds shall not be sold at less than par and accrued interest."

In line 38, Section 3 of the engrossed bill, after the word "maturities" insert the following: "and shall bear interest at a rate not to exceed 1.75 per cent per annum."

In Section 3, line 58, of the engrossed bill, strike out everything after the phrase "North Dakota" and add the following:

"or at the Bank of North Dakota. The Bank of North Dakota shall be the fiscal agent of the State of North Dakota in the matter of negotiation, sale and payment of the bonds issued under the provisions of this act."

Strike out all of Section 4 of the engrossed bill and re-number all of the remaining sections and re-number the lines.

Strike out all of Section 7 of the engrossed bill and insert in lieu thereof the following:

"Section 6. APPROPRIATIONS FROM THE GENERAL FUND.) Upon the sale and delivery of the bonds issued under this Act, there is hereby appropriated, and the State Treasurer is hereby authorized on the first day of July of each year after the effective date of this Act, to transfer the first nine hundred thousand dollars (\$900,000.00) from the cigarette tax collected as provided for by Chapter 57-36 of the North Dakota Revised Code of 1943 from the general fund in the state treasury to the sinking fund established under the provisions of this Act for the payment of such bonds. The money so appropriated and transferred shall be a first charge upon any moneys in the general fund. There is also hereby appropriated and the State Treasurer is authorized in like manner to transfer from the general fund the proceeds of the veterans' adjusted compensation income tax provided for by Senate Bill No. 214 of the 31st Legislative Assembly of 1949 to the sinking fund established under the provisions of this Act for payment of such bonds.

In addition to the appropriations herein made, there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of two and one-half million dollars (\$2,500,000.00) for the sinking fund established under the provisions of this Act for the payment of the bonds as provided for herein, and the State Treasurer is hereby authorized and directed to transfer said sum of two and one-half million dollars (\$2,500,000.00) into said fund."

In line 119 of Section 8 of the engrossed bill, after the comma following the phrase "North Dakota" insert the following:

"which tax shall be not less than the aggregate of the excise taxes provided for in Section 6 of this Act."

Re-number the lines accordingly.

GEORGE OLSON, Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Brant moved that the Senate do not concur in the House amendments to Senate Bill No. 1, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as such Conference Committee on Senate Bill No. 1, Senators Braun, Wolf and Bridston.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1949

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 1, and the President has appointed as a conference committee to act with a like committee from the House, Senators Braun, Wolf and Bridston.

W. J. TROUT, Secretary.

The Senate was on the eighth order of business.

Senator Brunsdale moved that Hon. Staale Hendrickson be escorted to the rostrum, which motion prevailed.

The President appointed Senators Streibel and Brunsdale as a committee of two to escort the Hon. Staale Hendrickson to the rostrum.

Mr. President: We are glad to have you here and we would like to have a few words from you.

Mr. Hendrickson: It is a great deal with me like a fellow that was called on for a talk. He said: "Since you asked me to talk, what do you want me to talk about?" A fellow in the back of the hall said: "Talk about two minutes and then sit down." It is the same with me. I will talk about two minutes. Mr. President, Members of the Senate of this Thirty-first Legislative Assembly. I have attended many sessions down here, as a matter of fact, I have attended, not as a member all the time, but I have attended every session since 1909 up to about 1942. I have always had a desire for legislative work, and I have always had not any desire for any political fame in the line of offices, but there is one office that I have always desired and that is the office as presides over the Senate. Now you gentlemen have put in a strenuous session. From what I have seen today, I am surprised you have not done any more than you have, because you certainly have not worked very fast today. When I was a member of the legislature we worked all the time, from early morning until midnight while the committees worked in different rooms. Now you folks, as far as I am personally concerned, I think you have done well but you are going to hear from the big voters between now and the nominating convention. A friend of mine came home after being down here and I asked him what they were doing in Bismarck. "Why," he says you have been a farmer, you know what a molting chicken will do. A molting chicken will not do anything. The members of the Senate in Bismarck are molting." But I am not going to talk politics. But I want to thank

you again for the courtesy and honor you have bestowed in calling me up here for a few remarks. When I can't be here as a member, I like to stay here and look at your faces. I see that you all look happy and as far as I am concerned, for me and mine, we will be back of you. Thank you.

Mr. President: Thank you, Hon. Staale Hendrickson.

Senator Bridston moved that the remarks of Hon. Staale Hendrickson be printed in the journal, which motion prevailed.

Senator Brunsdale moved that the vote by which House Bill No. 240 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Brunsdale 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.

Senator Morgan moved that the vote by which House Bill No. 143 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Rue suggested that Senator Day had been reciting poetry and thought that the rest of the Senators should hear this unusual treat and Senator Day was called upon to recite his poetry to the Senate.

Senator Day:

Lives of roosters all remind us
We may make our lives sublime,
And when roasted leave behind us
Hen tracks in the sands of time.

Hen tracks that another chicken
Drooping idly in the rain
A forelorn and henpecked brother
When he sees, shall crow again.

Senator Brant moved that the Conference Committee appointed on House Concurrent Resolution "F" be discharged, which motion prevailed.

MESSAGE TO THE HOUSE

Bismarck, March 3, 1949
Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 240

House Bill No. 143

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 3, 1949

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. 1, Representatives Bymers, Dewing and Einarson.

GEORGE OLSON, Chief Clerk.

Senator Brunsdale moved that the Senate do now recess until 10:00 a. m., March 4, 1949, which motion prevailed.

W. J. TROUT, Secretary.

FIFTY-NINTH DAY AFTER RECESS
AND SIXTIETH DAY

Bismarck, March 4, 1949

The Senate convened at 10:00 a.m., pursuant to recess taken, the President presiding.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to return:

Senate Bill No. 51, which the House has amended as follows:

Change the figure in line 3 to \$26,600.00

Eliminate Line 9.

Change figure in line 10 from \$10,000.00 to \$5,000.00

Change the figure in line 11 from \$6,000.00 to \$4,800.00

Change the item \$3,000.00 in line 12, under "travel expense" to \$2,000.00 and change the total in line 19 to \$26,600.00.

Senate Bill No. 52, which the House has amended as follows:

In line 11 strike out the figures "3,193,750.00" and insert in lieu thereof the figures "3,247,750.00"

In line 15 strike out the figures "198,150.00" and insert in lieu thereof the figures "284,866.00"

In line 16 strike out the figures "656,050.00" and insert in lieu thereof the figures "681,050.00"

In line 19 strike out the figures "785,780.00" and insert in lieu thereof the figures "810,780.00"

In line 22 strike out the figures "263,995.00" and insert in lieu thereof the figures "298,795.00"

Between lines 107 and 108 insert the letter "k." and the following words and figures: "Accoustical Treatment for Men's Gymnasium54,000.00"

In line 108 strike out the figures "\$3,193,750.00" and insert in lieu thereof the figures "\$3,247,750.00"

Between lines 156 and 157 insert lines 12, 13 and 14 as follows:

"Three Specialists—One Poultry, one Creamery and
one Irrigation 40,000.00

Travel and expenses 46,716.00"
 In line 157 strike out the figures "\$198,150.00" and insert in lieu thereof the figures "\$284,866.00"

In line 176 strike out the figures "275,000.00" and insert in lieu thereof the figures "300,000.00"

In line 177 strike out the figures "\$656,050.00" and insert in lieu thereof the figures "\$681,050.00"

In line 229 strike out the figures "75,000.00" and insert in lieu thereof the figures "100,000.00"

Between lines 229 and 230 insert the following:

"The appropriation made in 1947 for the Power House Conversion from Direct to Alternating Current is hereby declared to be made available for the purchase of light and power in such amounts as may be necessary."

In line 230 strike out the figures "\$785,780.00" and insert in lieu thereof the figures "\$810,780.00"

In line 268 strike out the figures "\$83,000.00" and insert in lieu thereof the figures "\$87,000.00"

In line 270 strike out the figures "22,345.00" and insert in lieu thereof the figures "23,145.00"

Between lines 284 and 285 insert a new line as follows:
 "Towner Nursery 30,000.00"

In line 278 strike out the figures "193,395.00" and insert in lieu thereof the figures "198,195.00"

In line 280 strike out the figures "133,395.00" and insert in lieu thereof the figures "138,195.00"

In line 285 strike out the figures "\$263,995.00" and insert in lieu thereof the figures "298,795.00"

Senate Bill No. 56, which the House has amended as follows:

In line 3 strike out the figure \$21,550.00 and insert in lieu thereof the figure \$23,950.00

In line 9 strike out the figure \$6,000.00 and insert in lieu thereof \$8,400.00

In the total strike out the figure \$21,500.00 and insert the figure \$23,950.00 in lieu thereof.

Senate Bill No. 69, which the House has amended as follows:

In line three strike out "\$376,200.00" and insert in lieu thereof "\$377,400.00".

In line eight strike out "\$7,200.00" and insert in lieu thereof "\$8,400.00".

In line twenty-four strike out "\$376,200.00" and insert in lieu thereof "\$377,400.00".

Senate Bill No. 76, which the House has amended as follows:

In line 9 strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$8,400.00"

In line 19 strike out the total "\$360,500.00" and insert in lieu thereof the figures "\$362,900.00"

In line 4 strike out the figures "\$360,500.00" and insert in lieu thereof the figures "\$362,900.00"

Senate Bill No. 78, which the House has amended as follows:

Line 20, strike out the figure "\$10,000.00" and insert in lieu thereof the figure "\$13,000.00".

Strike out the line 21 in its entirety.

Line 22 strike out the figure "189,000.00" and insert in lieu thereof the figure "187,000.00"

Senate Bill No. 80, which the House has amended as follows:

In line 4 strike out the figures "\$321,640.00" and insert in lieu thereof the figures "\$345,640.00"

In line 8 strike out the figures "\$18,000.00" and insert in lieu thereof the figures "\$24,000.00"

In line 23 strike out the total "\$321,640.00" and insert in lieu thereof the figures "\$345,640.00"

Senate Bill No. 81, which the House has amended as follows:

In line 3 of the bill, strike out the figure "\$648,700.00" and insert in lieu thereof the figure "\$686,900.00"

In line 10 strike out the figure "7,200.00" and insert in lieu thereof the figure "8,400.00"

In line 12 strike out the figure "12,000.00" and insert in lieu thereof the figure "13,200.00"

Between lines 30 and 31 insert the following item:

"Predatory Animal Control under supervision of the
Director of Predatory Animal Control 25,000.00"

In line 35, strike out the figure "648,700.00" and insert in lieu thereof the figure "686,900.00".

Re-number the lines

Senate Bill No. 113, which the House has amended as follows:

In line 17 of the original bill strike out the "semi-colon" and in place thereof, put a "period".

Strike out lines 18, 19, 20, 21 and 22 of the original bill.

Renumber the lines accordingly.

Senate Bill No. 115, which the House has amended as follows:

In line 5 of amended title, strike out the word "and" following the figures "1949" and insert a comma; and following the figures "1950" insert the word and figures "and 1951".

In line 2 of Section 1 of amended bill strike out the word "and" following the figure "1949" and insert a comma, and following the figure "1950" insert the word and figures "and 1951".

In the sixth line of Section 2, strike out the word "and" and insert a comma, and in the seventh line of Section 2, after the figures "1950" insert the word and figures "and 1951".

In the title, after the word "sheriff" and the comma, insert the words "county superintendent of schools" and a comma.

In Section 1, line 2, after the word "sheriff" and the comma, insert the words "county superintendent of schools".

In the third line of sub-section 7 of section 1 of the amended bill, strike out the word "one" and insert in lieu thereof the word "two".

After line 22 insert the following:

6". In counties having a county court of increased jurisdiction the county judge shall receive the salary he would receive if such court did not have increased jurisdiction and, in addition, the sum of one hundred dollars for each one thousand inhabitants or fraction thereof in such county; provided that in no case shall the maximum of such compensation exceed the sum of three thousand three hundred dollars in counties having a population of thirty thousand or less and in no case shall the maximum of such compensation exceed the sum of three thousand five hundred dollars in counties having a population exceeding thirty thousand based on this United States government census of 1940."

In line 23 strike out the figure "6" and insert in lieu thereof the figure "7".

In line 35 after the figure "1943" insert "or section 27-0808 of the 1947 Supplement to the North Dakota Revised Code of 1943."

In line 37 change the word "section" to "sections".

Renumber the lines.

Line 5 of the title, strike out the comma after the figure "1949" and insert in lieu thereof the word "and"; also in line 5, strike out the figures and word "1951 and 1952" and the comma following.

In line 1 of the bill, strike out the comma after the figure "1949" and insert in lieu thereof the word "and"; and strike out the figures and word "1951 and 1952" in lines 1 and 2.

In line 25 of the bill, strike out the words "three thousand four hundred" and insert the words "three thousand one hundred".

In lines 28 and 29, strike out the words "three thousand eight hundred" and insert the words "three thousand five hundred".

In line 37 of the bill, strike out the comma after the figure "1949" and insert the word "and".

In line 38, strike out the figures and word "1951 and 1952" and the comma.

Renumber the lines if necessary.

Senate Bill No. 126, which the House has amended as follows:

In line 17 after the word "made" insert the following words: "for this purpose".

Renumber the lines accordingly.

Senate Bill No. 221, which the House has amended as follows:

In Section 1 of the engrossed bill, strike out everything after the word "of" in line 5.

Insert in lieu thereof the following:

"two million dollars. Such sum shall be transferred to said

sinking fund on order of the State Industrial Commission at or promptly following the issuance of such bonds."

Renumber the lines.

GEORGE OLSON, Chief Clerk.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to return:

Senate Bill No. 28
Senate Bill No. 46
Senate Bill No. 55
Senate Bill No. 74
Senate Bill No. 75
Senate Bill No. 79
Senate Bill No. 82
Senate Bill No. 84
Senate Bill No. 157
Senate Bill No. 161
Senate Bill No. 186
Senate Bill No. 203
Senate Bill No. 222
Senate Bill No. 223
Senate Bill No. 238
Senate Bill No. 244

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on House Bill No. 134.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House is returning House Bill No. 66 for clarification of the Senate amendments.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to return:

Senate Bill No. 39
Senate Bill No. 43
Senate Bill No. 50
Senate Bill No. 112
Senate Bill No. 120
Senate Bill No. 125
Senate Concurrent Resolution "R"

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to transmit:

House Bill No. 5
House Bill No. 21

House Bill No. 61
 House Bill No. 67
 House Bill No. 126
 House Bill No. 154
 House Bill No. 162
 House Bill No. 173
 House Bill No. 195
 House Bill No. 204
 House Bill No. 247
 House Bill No. 264
 House Bill No. 273
 House Bill No. 282
 House Concurrent Resolution "Z"

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment respectfully reports that Senate Concurrent Resolution "R" was delivered to the Secretary of the State, at the hour of 11:00 a. m., o'clock, March 4, 1949.

EMIL TORNO, Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 39
 Senate Bill No. 43
 Senate Bill No. 50
 Senate Bill No. 112
 Senate Bill No. 120
 Senate Bill No. 125

Were delivered to the Governor for his approval at the hour of 11:00 a. m., o'clock, March 4, 1949.

EMIL TORNO, Chairman.

Senator Brunsdale moved that the Senate recess until the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

The Senate was on the 8th order of business.

Senator Morgan moved that the Senate reconsider the vote by which House Bill No. 66 was passed be reconsidered, which motion prevailed.

Senator Morgan moved that the amendment to House Bill No. 66 be amended as follows:

In line 4 strike out the figure \$437,854.00 and insert the figure \$441,054.00 in lieu thereof.

In line 50 for Total strike out the figure \$2,739,255.00 and insert the figure \$2,739,155.00 in lieu thereof,

Which motion prevailed.

Senator Morgan moved that House Bill No. 66 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 66

Which has been read.

ROLL CALL

The question being on the final passage of the bill,

as amended, the roll was called and there were ayes, 33; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bilden	Lichty	Schrock
Bjorlie	Morgan	Schoeder .
Braun	Nelson, Griggs-	Shure
Bridston	Steele	Solberg
Brunsdale	Nordhougen	Spiekermeier
Coghlan	O'Brien	Strand
Day	Olson Mountrail	Stucke
Duffy	Pyle	Tuff
Foss	Reinke	Wolf
Freed	Rue	Work
Kamrath		

Absent and not voting:

Blume	Lynch	Streibel
Brant	Mehlhoff	Torno
Feton	Nelson, McKenzie	Troxel
Flatt	Olson, Barnes	Wahlund
Fraser	Page	Welander
Krenz		

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sandness moved that the Senate do concur in the House amendments to Senate Bill No. 51, which motion prevailed.

Senator Sandness moved that the rules be suspended and that Senate Bill No. 51 be deemed properly reengrossed and placed upon second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 51

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 36; nays, 2; absent and not voting, 11.

Those voting in the affirmative were:

Albers	Lichty	Schrock
Bilden	Lynch	Schoeder
Bjorlie	Morgan	Shure
Blume	Nelson, Griggs-	Solberg
Braun	Steele	Spiekermeier
Brunsdale .	Nordhougen	Strand
Day	O'Brien	Stucke
Duffy	Page	Torno
Foss	Pyle	Tuff
Fraser	Reinke	Welander
Freed	Rue	Wolf
Kamrath	Sandness	Work
Leno		

Those voting in the negative were:

Olson Mountrail Olson, Barnes

Absent and not voting:

Brant	Flatt	Streibel
Bridston	Krenz	Troxel
Coghlan	Mehlhaff	Wahlund
Feton	Nelson, McKenzie	

So the bill passed and the title was agreed to.

Senator Morgan moved that the Senate do not concur in the House amendments to Senate Bill No. 52, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as such Conference Committee on Senate Bill No. 52, Senators Morgan, Stucke and Duffy.

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 56, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 56 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, by the House, which motion prevailed.

Senate Bill No. 56

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 34; nays, 4; absent and not voting, 11.

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Blume	Lynch	Schoeder
Braun	Morgan	Shure
Brunsdale	Nelson, Griggs-	Spiekermeier
Duffy	Steele	Strand
Flatt	Olson Mountrail	Stucke
Foss	Olson, Barnes	Tuff
Fraser	Page	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Rue	Work
Leno	Sandness	

Those voting in the negative were:

Albers	Solberg	Torno
Bjorlie		

Absent and not voting:

Brant	Feton	O'Brien
Bridston	Mehlhaff	Streibel
Coghlan	Nelson, McKenzie	Troxel
Day	Nordhougen	

So the bill passed and the title was agreed to.

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 69, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 69 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 69

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 39; nays, 4; absent and not voting, 6.

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Braun	Lynch	Schoeder
Bridston	Mehlhoff	Shure
Brunsdale	Morgan	Solberg
Day	Nelson, Griggs-	Spiekermeier
Duffy	Steele	Strand
Feton	Nordhougen	Streibel
Flatt	Olson Mountrail	Stucke
Foss	Olson, Barnes	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welder
Kamrath	Rue	Wolf
Krenz	Sandness	Work
Leno		

Those voting in the negative were:

Albers	Page	Torno
Blume		

Absent and not voting:

Bjorlie	Coghlan	O'Brien
Brant	Nelson, McKenzie	Troxel

So the bill passed and the title was agreed to.

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 76, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 76 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 76

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 29; nays, 14; absent and not voting, 6.

Those voting in the affirmative were:

Brant	Kamrath	Reinke
Braun	Krenz	Rue
Bridston	Lynch	Sandness
Brunsdale	Mehlhoff	Schrock
Day	Morgan	Shure
Duffy	Nelson, Griggs-	Spiekermeier
Feton	Steele	Strand
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welder
Freed	Pyle	Work

Those voting in the negative were:

Albers	Nordhougen	Stucke
Blume	Olson, Mountrail	Torno
Fraser	Schoeder	Tuff
Leno	Solberg	Wolf
Lichty	Streibel	

Absent and not voting:

Bilden	Coghlan	O'Brien
Bjorlie	Nelson, McKenzie	Troxel

So the bill passed and the title was agreed to.

Senator Rue moved that the Senate do not concur in the House amendments to Senate Bill No. 78, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as such Conference Committee on Senate Bill No. 78, Senators Rue, Nelson of McKenzie and Olson of Barnes.

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 80, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 80 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 80

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 30; nays, 15; absent and not voting, 4.

Those voting in the affirmative were:

Brant	Mehlhoff	Rue
Braun	Morgan	Sandness
Bridston	Nelson, McKenzie	Schrock
Brunsdale	Nelson, Griggs-	Shure
Coghlan	Steele	Spiekermeier
Day	O'Brien	Strand
Feton	Olson, Barnes	Streibel
Foss	Page	Stucke
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Lynch		

Those voting in the negative were:

Albers	Leno	Solberg
Blume	Lichty	Torno
Duffy	Nordhougen	Tuff
Fraser	Olson, Mountrail	Wahlund
Krenz	Schoeder	Welander

Absent and not voting:

Bilden	Flatt	Troxel
Bjorlie		

So the bill passed and the title was agreed to.

Senator Braun moved that the Senate do not concur in the House amendments to Senate Bill No. 81, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 81, Senators Braun, Reinke and Pyle.

Senator Brunsdale moved that Senate Bill No. 113 be returned to the House for Clarification of the amendments, which motion prevailed.

Senator Feton moved that the Senate do not concur in

the House amendments to Senate Bill No. 115, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as such Conference Committee on Senate Bill No. 115, Senators Fetón, Page and Flatt.

The Senate was on the eighth order of business.

Senator Work moved that the action by which House Bill No. 306 was defeated be reconsidered, which motion prevailed.

Senator Work moved that House Bill No. 306 be placed on the calendar, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Brunsdale moved that the motion to return Senate Bill No. 113 for clarification of the amendments be suspended and that Senate Bill No. 113 be placed before the Senate for consideration, which motion prevailed.

Senator Olson of Mountrail moved that the Senate do concur in the House amendments to Senate Bill No. 113, which motion was declared lost.

Senator Brunsdale moved that a Conference Committee be appointed on Senate Bill No. 113, which motion prevailed.

The President appointed as such Conference Committee on Senate Bill No. 113, Senators Flatt, Wahlund and Strand.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 52, and the President has appointed as a conference committee to act with a like committee from the House, Senators Morgan, Stucke and Duffy.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 78 and the President has appointed as a conference committee to act with a like committee from the House, Senators Rue, Nelson of McKenzie and Olson of Barnes.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 81 and the President has appointed as a conference committee to act with a like committee from the House, Senators Braun, Reinke and Pyle.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 115 and the President has appointed as a con-

ference committee to act with a like committee from the House, Senators Page, Flatt and Feton.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 113 and the President has appointed as a conference committee to act with a like committee from the House, Senators Flatt, Wahlund and Strand.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House is returning House Bill No. 163 for clarification of the Senate amendment.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

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. 52, Reps. Stair, Johnson and Lillehaugen.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

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. 78, Reps. Wolf, Link and Fitch.

GEORGE OLSON, Chief Clerk.

Senator Sandness moved that the Senate do now recess until the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 46
Senate Bill No. 55
Senate Bill No. 74
Senate Bill No. 157
Senate Bill No. 207

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 93
Senate Bill No. 191

Senate Bill No. 198
Senate Bill No. 214
Senate Bill No. 228

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to return House Bills Nos. 66 and 163 which were messaged to the Senate for clarification of the amendment.

W. J. TROUT, Secretary.

The Senate was on the eighth order of business.

Senator Morgan 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.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

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. 115, Reps. Langseth, Graham and Brickner.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

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. 113, Reps. Seibel, Siverson and Sailer.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

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. 81, Reps. Starck, Solberg and Stormon of Ramsey.

GEORGE OLSON, Chief Clerk.

FIRST READING OF SENATE BILL

The Senate Special Printing Committee introduced:

Senate Concurrent Resolution "S". A Concurrent Resolution Providing for Reimbursement to the Western Printing Company for Loss Incurred Because of Cancellation of Contract for Legislative Printing.

Senator Brunsdale moved that the rules be suspended and that Senate Concurrent Resolution "S" be placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Concurrent Resolution "S"
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, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Albers	Lichty	Schoeder
Bjorlie	Lynch	Shure
Blume	Mehlhoff	Spiekermeier
Brant	Morgan	Strand
Braun	Nelson, Griggs-	Stucke
Brunsdale	Steele	Torno
Coghlan	Nordhogen	Troxel
Foss	O'Brien	Tuff
Fraser	Olson Mountrail	Wahlund
Freed	Pyle	Welander
Kamrath	Reinke	Wolf
Krenz	Schrock	Work
Leno		

Absent and not voting:

Bilden	Flatt	Rue
Bridston	Nelson, McKenzie	Sandness
Day	Olson, Barnes	Solberg
Duffy	Page	Streibel
Feton		

So the Resolution passed and the title was agreed to.

Senator Brunsdale moved that Senate Concurrent Resolution "S" be printed in the Journal, which motion prevailed.

SENATE CONCURRENT RESOLUTION "S"

Introduced by Senate Printing Committee.

Senate Concurrent Resolution "S". A Concurrent Resolution Providing for Reimbursement to the Western Printing Company for Loss Incurred Because of Cancellation of Contract for Legislative Printing.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

- 1 WHEREAS, The Western Printing Company, Bis-
- 1a marck, North
- 2 Dakota, originally held the contract for legislative print-
- 3 ing for the thirty-first Legislative Assmby. but had the
- 4 contract cancelled by the Legislature because of inability
- 5 to fulfill the terms of the contract.
- 6 AND WHEREAS, the Western Printing Company did
- 6a earnestly
- 7 endeavor to fulfill th contract and its failure to do so
- 8 was caused by inability to secure printers and for other
- 9 reasons beyond its control.
- 10 AND WHEREAS, cancellation of contract caused the
- 10a Western
- 11 Printing Company a loss conservatively estimated at Four
- 12 Hundred Fifty Dollars and no/100 (\$450.00).
- 13 NOW, THEREFORE, BE IT RESOLVED, by the Sen-
- 13a ate of the
- 14 state of North Dakota, the House of Representatives con-
- 15 curring therein, that the aforesaid Western Printing
- 15a Company
- 16 of Bismarck, North Dakota, be paid the sum of Four

16a Hundred
 17 Fifty Dollars and no/100 (\$450.00) and that this be
 17a charged
 18 and paid as legislative expense.

MESSAGES FROM THE HOUSE

House Chamber
 Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 57 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Hofstrand, Luick and Rudolf.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 101, 183 and 241.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on House Bill No. 341.

GEORGE OLSON, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarck, March 4, 1949

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "S"

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Krenz moved that the Senate do concur in the House amendment to Senate Bill No. 126, which motion prevailed.

Senator Krenz moved that the rules be suspended and that Senate Bill No. 126 be deemed properly re-éngrossed and placed upon second reading and final passage, as amended, by the House, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 126

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Albers	Krenz	Schoeder
Bjorlie	Leno	Shure
Blume	Lichty	Solberg

Brant	Lynch	Spiekermeier
Brunsdale	Mehlhoff	Strand
Coghlan	Morgan	Streibel
Day	Nelson, Griggs-	Stucke
Duffy	Steele	Torno
Feton	Nordhougen	Troxel
Flatt	O'Brien	Tuff
Foss	Olson, Mountrail	Wahlund
Fraser	Page	Welander
Freed	Sandness	Wolf
Kamrath	Schrock	Work
Absent and not voting:		
Bilden	Nelson, McKenzie	Reinke
Braun	Olson, Barnes	Rue
Bridston	Pyle	

So the bill passed and the title was agreed to.

Senator Brant moved that the Senate do not concur in the House amendment to Senate Bill No. 221, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 221, Senators Brant, Wolf and Bridston.

Senator Sandness moved that a Conference Committee be appointed on House Bill No. 57, which motion prevailed.

The President appointed as such Conference Committee on House Bill No. 57, Senators Sandness, Lichty and Torno.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 126.

W. J. TROUT, Secretary.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 75

Senate Bill No. 79

Senate Bill No. 82

Senate Bill No. 161

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 221, and the President has appointed as a conference committee to act with a like committee from the House, Senators Brant, Wolf and Bridston.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

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. 57
Senators Sandness, Lichty and Torno.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the
Senate has concurred in the House amendment to Senate
Bills Nos. 51, 56, 69, 76 and 80.

W. J. TROUT, Secretary.

REPORT OF SELECT COMMITTEES

Mr. President: Your conference committee to whom was
referred House Bill No. 314, have had the same under con-
sideration and recommend, that the Senate recede from the
amendment to House Bill No. 314.

For the Senate:

MELVIN OLSON
HARRY O'BRIEN
STEVEN C. NELSON

For the House:

F. J. GRAHAM
BRYNHILD HAUGLAND
M. T. LILLEHAUGEN

Senator Olson of Barnes moved that the report be adopted,
which motion prevailed and the report was adopted.

SECOND READING OF HOUSE BILL

House Bill No. 314

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll
was called and there were ayes, 48; nays, 0; absent and not
voting, 1.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath		

Absent and not voting:

Sandness

So the bill passed and the title was agreed to, and the
emergency clause was declared carried.

Senator Brunsdale moved that the Senate recess until the
call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

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. 221, Reprs. Erickson, Wolf and Sailer.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House had adopted the conference committee report on House Bill No. 54.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House requests the retrn of Senate Bill No. 225 which was messaged over in error.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has concurred in the clarified Senate amendments to House Bill No. 66.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has adopted the conference committee ereport on Senate Bill No. 115.

GEORGE OLSON, Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Day moved that the Senate return Senate Bill No. 225 as requested by the House, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to return:

Senate Bill No. 225

Which the House has requested.

W. J. TROUT, Secretary.

Senator Bjorlie moved that the absent Senators be excused, which motion prevailed.

Senator Brunsdale moved that the Senate do now adjourn, which motion prevailed.

W. J. TROUT, Secretary.

SIXTIETH DAY

Bismarck, March 4, 1949

The Senate convened at 2:00 p. m., the President presiding.

Prayer by the Chaplain, Rev. Arnold H. Marzolf of Bismarck. Rev. Marzolf announced that the prayer he used had

been written by a group of Senators who had asked him to read it today.

Roll Call: All Senators present.

A quorum was declared present by the President.

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-eighth day after recess and fifty-ninth day and recommend that the same be corrected as follows:

Page 752, line 5, strike out the word "return" and insert in lieu thereof the word "transmit".

Page 765, line 46, correct the spelling of the word "adjusted".

Page 767, line 17, strike out the name "Brunsdale" and insert in lieu thereof the name "Morgan".

And when so corrected recommends that the same be approved.

EDWARD LENO, Chairman.

Senator Leno moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Flatt moved that the prayer given today be printed in the Journal, which motion prevailed.

PRAYER

Our Father in Heaven we thank thee for thy many blessings. On this the last day of the thirty-first legislative session, we pause to meditate on our transactions of the last two months. We humbly beseech thee to forgive us our many transgressions. At the close of this legislative day we will depart to our several homes and communities, we ask that thy grace accompany us. May we be permitted to inculcate into our lives the virtues of these men we have been so closely associated with. May we be better men in our several walks of life because of our experience here. May we all have a better understanding of thy tolerance and forgiveness, expressed in these men. We ask thy blessing on each and every one of us assembled here, realizing that thou art the giver of every good and perfect gift. Amen.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 81, have had the same under consideration and recommend that the Senate do concur to the House amendments.

For the Senate:

JOSEPH A. REINKE
KENNETH K. PYLE
W. J. BRAUN

For the House:

TONY STARCK
HARRY STORMON of Ramsey
OSCAR SOLBERG

Senator Reinke moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF SENATE BILL

Senate Bill No. 81

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, in conference committee, the roll was called and there were ayes, 32; nays, 10; absent and not voting, 7.

Those voting in the affirmative were:

Brant	Krenz	Reinke
Braun	Lichty	Rue
Bridston	Mehlhoff	Sandness
Brunsdale	Morgan	Shure
Coghlan	Nelson, McKenzie	Spiekermeyer
Day	Nelson, Griggs-	Strand
Duffy	Steele	Torno
Feton	Nordhougen	Troxel
Flatt	O'Brien	Tuff
Foss	Olson, Barnes	Welander
Freed	Pyle	Work

Those voting in the negative were:

Bjorlie	Lynch	Stucke
Blume	Olson, Mountrail	Wahlund
Kamrath	Schoeder	Wolf
Leno		

Absent and not voting:

Albers	Page	Solberg
Bilden	Schrock	Streibel
Fraser		

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 54, have had the same under consideration and recommend:

That line 159 after 11b strike out Senate amendment (out of State Equalization Fund)

The House concurs in all other Senate amendments.

For the Senate:

W. H. SHURE
RILIE R. MORGAN
HJALMER NELSON

For the House:

A. C. JOHNSON
R. D. CULVER
C. H. HOFSTRAND

Senator Shure moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF HOUSE BILL

House Bill No. 54

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in conference committee, the roll was called and there were ayes, 39; nays, 3; absent and not voting, 7.

Those voting in the affirmative were:

Blume	Lichty	Reinke
Braun	Lynch	Rue
Bridston	Mehlhoff	Schoeder

Brunsdale	Morgan	Shure
Coghlan	Nelson, McKenzie	Spiekermeier
Day	Nelson, Griggs-	Strand
Duffy	Steele	Streibel
Feton	Nordhougen	Stucke
Flatt	O'Brien	Torno
Foss	Olson, Mountrail	Tuff
Freed	Olson, Barnes	Weland
Kamrath	Page	Wolf
Krenz	Pyle	Work
Leno		

Those voting in the negative were:

Albers	Bjorlie	Wahlund
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Absent and not voting:

Bilden	Sandness	Solberg
Brant	Schrock	Troxel
Fraser		

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 113, have had the same under consideration and have disagreed and ask to be discharged and recommend that a new conference committee be appointed.

For the Senate:

J. L. FLATT
OSCAR WAHLUND
EMIL STRAND

For the House:

FRED SEIBEL
E. G. SAUER
S. R. SIVERSON

Senator Flatt moved that the report be adopted.

Senator Flatt moved that Senate Bill No. 113 be indefinitely postponed, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 115, have had the same under consideration and recommend that the Senate concur in the House amendments.

For the Senate:

J. L. FLATT
G. I. FETON
FRANKLIN PAGE

For the House:

F. J. GRAHAM
CLAIR F. BRICKNER
A. C. LANGSETH

Senator Feton moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Flatt moved that the rules be suspended and that Senate Bill No. 115 be deemed properly re-engrossed and placed upon second reading and final passage, as amended in conference committee, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 115

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in conference committee, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Albers	Krenz	Sandness
Bilden	Leno	Schrock
Bjorlie	Lichty	Schoeder
Blume	Lynch	Shure
Brant	Mehlhoff	Solberg
Braun	Morgan	Spiekermeier
Bridston	Nelson, McKenzie	Strand
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Day	Nordhougen	Torno
Duffy	O'Brien	Troxel
Feton	Olson, Mountrail	Tuff
Flatt	Olson, Barnes	Wahlund
Foss	Page	Welander
Fraser	Pyle	Wolf
Freed	Reinke	Work
Kamrath	Rue	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has indefinitely postponed Senate Bill No. 113.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on House Bill No. 54.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on Senate Bill No. 115.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to return:
Senate Bill No. 225

Which the House has amended, as follows:

In Section 6, after line 67 of the engrossed bill, insert subsection 2 to read as follows:

"2. In addition thereto each landowner shall have one additional voice or vote for each \$100.00 or major fraction thereof of assessment that his land is subject to as established by the board under the provisions of Section 4 of this Act."

In line 134 strike out the following sentence: "The provisions of law pertaining to the construction of drains shall govern the drain board in the handling of such repair and construction projects."

Re-number the lines accordingly.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to transmit:

House Concurrent Resolution "BB"

House Concurrent Resolution "CC"

House Concurrent Resolution "DD"

House Concurrent Resolution "FF"

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Day moved that the Senate do concur in the House amendments to Senate Bill No. 225, which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 225 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 225

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Albers	Krenz	Rue
Bilden	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Lynch	Shure
Brant	Morgan	Solberg
Brunsdale	Nelson, McKenzie	Spiekermeier
Coghlan	Nelson, Griggs-	Strand
Day	Steele	Stucke
Duffy	Nordhougen	Torne
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welanders
Freed	Pyle	Wolf
Kamrath	Reinke	Work

Absent and not voting:

Braun	Mehlhoff	Streibel
Bridston	Schoeder	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was

referred Senate Bill No. 78, have had the same under consideration and recommend: that the House recede from its amendments and amend Senate Bill No. 78 as follows:

In line 20, strike out the figure "\$10,000.00" and insert in lieu thereof the figure "\$14,000.00".

Strike out the line 21 in its entirety.

In line 22 strike out the figure "\$189,000.00" and insert in lieu thereof the figure "\$186,000.00".

For the Senate:

MILTON RUE
MELVIN OLSON
HJALMER NELSON of McKenzie

For the House:

BEN WOLF
ART LINK
KEN. FITCH

Senator Rue moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Rue moved that the rules be suspended and that Senate Bill No. 78 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, in Conference Committee, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 78

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 32; nays, 12; absent and not voting, 5.

Those voting in the affirmative were:

Brant	Krenz	Reinke
Bridston	Lynch	Rue
Brunsdale	Morgan	Sandness
Coghlan	Nelson, McKenzie	Shure
Day	Nelson, Griggs-	Spiekermeier
Duffy	Steele	Strand
Feton	Nordhougen	Torno
Flatt	O'Brien	Troxel
Foss	Olson, Barnes	Welanders
Fraser	Page	Wolf
Freed	Pyle	Work

Those voting in the negative were:

Albers	Leno	Solberg
Bjorlie	Lichty	Stucke
Blume	Olson, Mountrail	Tuff
Kamrath	Schrock	Wahlund

Absent and not voting:

Bilden	Mehlhoff	Streibel
Braun	Schoeder	

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 221, have had the same under consideration and recommended:

That the House recede from its amendment to Senate Bill No. 221.

For the Senate:
 E. H. BRANT
 J. B. BRIDSTON
 RICHARD E. WOLF

For the House:
 I. H. ERICKSON
 E. G. SAILER
 BEN J. WOLF

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber
 Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 225.

W. J. TROUT, Secretary.
 Senate Chamber
 Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bills Nos. 78 and 221.

W. J. TROUT, Secretary.

Senator Flatt moved that the Senate do now recess until 7:30 p.m., which motion prevailed.

The Senate convened at 7:30 p.m., pursuant to recess taken, the President presiding.

MESSAGE FROM THE HOUSE

House Chamber
 Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on House Bill No. 163.

GEORGE OLSON, Chief Clerk.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 163 have had the same under consideration and recommend that House Bill No. 163 be amended as follows:

In Section 6 strike out lines 189, 190, 191, 192, 193, 194, 195, 196 and 197, and insert in lieu thereof the following:

"In adding such tax to the price or charge, retailers shall adopt the following bracket system for the application of the tax:

\$0.01 to \$0.24	No tax
.25 to .74	1c tax
.75 to 1.24	2c tax
1.25 to 1.74	3c tax
1.75 to 2.24	4c tax
2.25 to 2.74	5c tax
2.75 to 3.24	6c tax
3.25 to 3.74	7c tax
3.75 to 4.24	8c tax
4.25 to 4.74	9c tax
4.75 to 5.24	10c tax

5.25 to 5.74	11c tax
5.75 to 6.24	12c tax
6.25 to 6.74	13c tax
6.75 to 7.24	14c tax
7.25 to 7.74	15c tax
7.75 to 8.24	16c tax
8.25 to 8.74	17c tax
8.75 to 9.24	18c tax
9.25 to 9.74	19c tax
9.75 to 10.24	20c tax
Each additional 50c	1c additional tax

Renumber the lines accordingly.

For the Senate:

E. H. BRANT
R. M. STREIBEL
G. I. FETON

For the House:

J. M. MOLLET
I. H. ERICKSON
H. W. WADESON

Senator Brant moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF HOUSE BILL

House Bill No. 163

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

Bilden	Lichty	Schrock
Bjorlie	Lynch	Schoeder
Blume	Morgan	Shure
Brant	Nelson, McKenzie	Solberg
Braun	Nelson, Griggs-	Spiekermeier
Bridston	Steele	Strand
Brunsdale	Nordhougen	Streibel
Coghlan	Olson, Mountrail	Stucke
Day	Olson, Barnes	Troxel
Duffy	Page	Tuff
Feton	Pyle	Wahlund
Flatt	Reinke	Welander
Kamrath	Rue	Wolf
Krenz	Sandness	Work
Leno		

Those voting in the negative were:

Albers	Fraser	Mehlhoff
Foss	Freed	Torno

Absent and not voting:

O'Brien

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to transmit:

House Bill No. 194
 House Bill No. 223
 House Bill No. 224
 House Bill No. 227
 House Bill No. 272
 House Bill No. 284
 House Bill No. 288
 House Bill No. 291
 House Bill No. 324
 House Bill No. 335
 House Bill No. 344

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, March 4, 1949

Mr. President: I have the honor to transmit:

House Concurrent Resolution "F"
 House Concurrent Resolution "L"
 House Concurrent Resolution "M"
 House Concurrent Resolution "Y"

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 292.

GEORGE OLSON, Chief Clerk.

The Senate was on the eighth order of business.

Senator Bridston moved that the Conference Committee on Senate Bill No. 1, is unable to agree and asked to be discharged and a new Conference Committee appointed, which motion prevailed.

The President appointed as such Conference Committee on Senate Bill No. 1, Senators Brant, Page and Lynch.

FIRST READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "BB." A Concurrent Resolution Providing for the Retaining of Certain Employees of the Senate and the House After the Legislative Session for the Purpose of Completing Legislative Work.

Was read the first time.

Senator Brunsdale moved that the rules be suspended and that House Concurrent Resolution "BB" be placed on second reading and final passage.

Senator Flatt moved that House Concurrent Resolution "BB" be adopted.

ROLL CALL

The question was on the motion of Senator Flatt to adopt House Concurrent Resolution "BB", the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Albers
 Bilden

Kamrath
 Krenz

Sandness
 Schrock

Bjorlie	Leno	Schoeder
Blume	Lichty	Shure
Brant	Lynch	Solberg
Braun	Mehlhoff	Spiekermeier
Bridston	Morgan	Strand
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	O'Brien	Stucke
Day	Olson, Mountrail	Torno
Duffy	Olson, Barnes	Troxel
Feton	Page	Tuff
Flatt	Pyle	Welander
Foss	Reinke	Wolf
Fraser	Rue	Work
Freed		

Absent and not voting:

Nelson, Griggs- Steele	Nordhougen	Wahlund
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So the resolution was passed and the title agreed to.

House Concurrent Resolution "CC." A Concurrent Resolution Providing for the Preparation of a Compilation of a Record of Bills Introduced in the House of Representatives and the Senate of the State of North Dakota.

Was read the first time.

Senator Brunsdale moved that the rules be suspended and that House Concurrent Resolution "CC" be placed on second reading and final passage.

Senator Flatt moved that House Concurrent Resolution "CC" be adopted.

ROLL CALL

The question was on the motion of Senator Flatt to adopt House Concurrent Resolution "CC", the roll was called and there were ayes, 32; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Blume	Morgan	Sandness
Brant	Nelson, McKenzie	Schrock
Bridston	Nelson, Griggs- Steele	Schoeder
Brunsdale		Strand
Coghlan	Nordhougen	Streibel
Foss	O'Brien	Stucke
Freed	Olson, Mountrail	Troxel
Kamrath	Olson, Barnes	Tuff
Krenz	Pyle	Welander
Lichty	Reinke	Wolf
Mehlhoff	Rue	Work

Absent and not voting:

Albers	Feton	Shure
Bilden	Flatt	Solberg
Bjorlie	Fraser	Spiekermeier
Braun	Leno	Torno
Day	Lynch	Wahlund
Duffy	Page	

So the resolution was passed and the title agreed to.

The President called Senator Rue to the Chair.

House Concurrent Resolution "DD." A Concurrent Resolution Providing for the Completion of the Legislative Journals of the Senate and the House.

Was read the first time.

Senator Streibel moved that the rules be suspended and that House Concurrent Resolution "DD" be placed on second reading and final passage.

Senator Flatt moved that House Concurrent Resolution "DD" be adopted.

ROLL CALL

The question was on the motion of Senator Flatt to adopt House Concurrent Resolution "DD", the roll was called and there were ayes, 31; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Blume	Morgan	Schoeder
Brant	Nelson, McKenzie	Strand
Bridston	Nordhougen	Streibel
Brunsdale	O'Brien	Stucke
Coghlan	Olson, Mountrail	Troxel
Flatt	Olson, Barnes	Tuff
Foss	Pyle	Wahlund
Freed	Reinke	Welander
Kamrath	Sandness	Wolf
Krenz	Schrock	Work
Lichty		

Absent and not voting:

Albers	Fraser	Page
Bilden	Leno	Rue
Bjorlie	Lynch	Shure
Braun	Mehlhoff	Solberg
Day	Nelson, Griggs-	Spiekermeier
Duffy	Steele	Torno
Feton		

So the resolution was passed and the title agreed to.

The President resumed the Chair.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 78.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the Speaker has appointed as a new Conference Committee to act with a like committee from the Senate on Senate Bill No. 1, Reprs. Mollet, Graham, and Baeverstad.

GEORGE OLSON, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "BB"

House Concurrent Resolution "CC"

House Concurrent Resolution "DD"

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee to act with a like committee from the House on Senate Bill No. 1, Senators Brant, Page and Lynch.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 163.

W. J. TROUT, Secretary.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 28
Senate Bill No. 51
Senate Bill No. 56
Senate Bill No. 69
Senate Bill No. 76
Senate Bill No. 80
Senate Bill No. 81
Senate Bill No. 84
Senate Bill No. 115
Senate Bill No. 126
Senate Bill No. 186
Senate Bill No. 203
Senate Bill No. 221
Senate Bill No. 222
Senate Bill No. 223
Senate Bill No. 225
Senate Bill No. 238
Senate Bill No. 244

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF HOUSE BILL

House Bill No. 306

Which has been read. /

Senator Work requested a call of the Senate, which request was granted.

Senator Work moved that the call of the Senate be dispensed with, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 23; absent and not voting, 0.

Those voting in the affirmative were:

Bilden	Lynch	Schrock
Bjorlie	Mehlhoff	Schoeder
Coghlan	Nelson, McKenzie	Strand
Duffy	Nelson, Griggs-	Stucke
Feton	Steele	Torno

Foss	Nordhougen	Troxel
Freed	Olson, Barnes	Welander
Krenz	Rue	Wolf
Lichty	Sandness	Work
Those voting in the negative were:		
Albers	Fraser	Reinke
Blume	Kamrath	Shure
Brant	Leno	Solberg
Braun	Morgan	Spiekermeier
Bridston	O'Brien	Streibel
Brunsdale	Olson Mountrail	Tuff
Day	Page	Wahlund
Flatt	Pyle	

So the bill passed and the title was agreed to.

Ruling by the President: "The reason I am making my decision that House Bill No. 306 passed by a simple majority is due to the fact that in 1939 we passed a law which set up an additional 1c gas tax. This law was passed by the House in 1939 with the following vote: In the House it received 58 votes for, and 48 against; in the Senate it received 34 votes for and 15 against. The same law setting up the special 1c gas tax in the 1941 session passed with a vote in the House of 74 for and 33 against, and in the Senate with a vote of 39 for and 9 against and 1 absent.

It was reenacted by the Legislature of 1943. At that time it passed and was enacted into law with a vote of 71 for, lacking 5 of a two-thirds majority, with 42 against in the House, and in the Senate with 27 for and 21 against, lacking 6 votes of having a two-thirds majority, and we operated under that law and it was not challenged by anyone or by the Courts of this State until 1944 when the people initiated the 1c gas tax and earmarked it for debenture certificates for highway purposes. If you will turn to your bill books on House Bill No. 306, and then if you will take the Code for 1943, you will find that exactly the same language is used in this law as was used in the law that was passed in 1939 with a simple majority; in 1943 it was again passed with a simple majority. Consequently I feel that I must rule that the Bill has passed and will become law with a simple majority. I can do nothing else."

Senator Day read an opinion from the Attorney General.

Senator Day moved that the Senate appeal from the decision of the chair in ruling that House Bill No. 306 passed by a simple majority, which motion was declared lost.

Senator Day moved that the copy of the Attorney General's opinion which he read be printed in the Journal, which motion prevailed.

State of North Dakota
OFFICE OF ATTORNEY GENERAL
Bismarck

February 15, 1949

Honorable Palmer Levin
Speaker House of Representatives
Bismarck, North Dakota

Dear Mr. Levin:

You have requested the opinion of this office as to whether or not House Bill 306 is an amendment of the initiated law

of 1926 known as the gasoline tax law and if so, whether it requires a two-thirds majority for enactment.

The initiated measure of 1926 defines dealer as including any person or persons, firm, association or corporation who imports or causes to be imported from any other state or country any motor vehicle fuel for operating or propelling motor vehicles for use, distribution or sale in and after it reaches the State of North Dakota.

It further provides that said dealer shall pay a license tax of two cents per gallon on all motor vehicle fuel used and sold by him other than such fuel sold by him or them in the original package.

In 1929 this law was amended by increasing the license tax from two cents to three cents.

The legislative assembly in 1943 enacted Chapter 262 which levied a tax of four cents on the use of fuel by any person within this state. All these measures were enacted by a two-thirds majority of all members elect in both houses.

You will note that the initiated measure of 1926 provides that all dealers shall pay a license tax of two cents per gallon. You will also note that House Bill 306 referring to Section 1 thereof provides for a tax on all dealers in motor vehicle fuel of a special motor fuel license tax used and sold in the State of North Dakota. The language in House Bill 306 is almost identical with the language in the initiated measure of 1926. Section 1 of House Bill 306 also provides that such tax shall be separate and apart from and in addition to any license tax or other taxes imposed upon or applicable to motor vehicle fuels or dealers therein under the laws of this state, and said two cents per gallon tax shall be in addition to and over and above the three cent tax imposed by Chapter 57-41 of the North Dakota Revised Code of 1943, as amended, and in addition to the one cent tax imposed by Chapter 57-48 of the 1947 Supplement to the North Dakota Revised Code of 1943.

Section 2 of House Bill 306 provides that said additional two cents per gallon tax shall be paid by each dealer in motor vehicle fuels as defined and provided by Chapter 57-41 of the North Dakota Revised Code of 1943, as amended, and said additional two cents per gallon tax shall be paid in the manner, at the time, and to the officer specified in said Chapter 57-41 of the North Dakota Revised Code of 1943, as amended, and all definitions of terms and methods of procedure for assessment and collection and other general provisions by context applicable thereto contained and provided in said Chapter 57-41 of the North Dakota Revised Code of 1943, as amended, shall apply to this special motor vehicle fuel tax imposed under the terms and provisions of this act.

I call your attention to Section 1-0226 of the North Dakota Revised Code of 1943 which is a legislative declaration with reference to the requirements for amendments of an initiated measure and which reads as follows:

"EFFECT OF REVISION UPON INITIATED MEASURES. Any provision of this code which was enacted as an initiated measure, or as a part of such a measure, not-

withstanding the revision, shall remain in effect as an initiated provision and shall be subject to amendment, reenactment, or repeal only as provided by section 25 of the constitution of this state."

Also Section 1-0225 provides as follows:

"CONTINUATIONS OF EXISTING STATUTES. The provisions of this code, so far as they are substantially the same as existing statutes, must be construed as continuations thereof, and not as new enactments."

The fact that the initiated measure may have been subsequently amended does not change its character as an initiated measure.

In the case of State Ex Rel. Strutz vs. Baker, 71 N.D. 153 the Supreme Court of this state passed squarely upon this question. It was there held that "Where the Legislature amends and reenacts such an initiated measure, the initiated character of the measure is not destroyed but remains in force, and any subsequent amendment of the initiated measure or of an amended or reenacted portion thereof is subject to the constitutional limitation placed upon the Legislature."

In the same opinion the court quoted with approval from the case of De Motte v. De Motte, 364 Ill. 421, 4 N.E. (2d) 960.

"The court was construing a statute which on its face appeared to be independent, but in fact merely introduced new features into the old act, and held such change to be an amendment, quoting with approval this rule set forth in Galpin v. Chicago, 269 Ill. 27, 36, 109 N.E. 713, 716, LRA 1917B, 176; 'even though an act professes to be an independent act and does not purport to amend any prior act, still if, in fact, it makes changes in an existing act by adding new provisions and mingling the new with the old on the same subject so as to make of the old and the new a connected piece of legislation covering the same subject, the latter act must be considered an amendment of the former'."

I desire to call your attention to the fact that the source of Chapter 57-41 of the North Dakota Revised Code of 1943, as amended, is the initiated measure of June 30, 1926, known as the gasoline tax law. It clearly appears therefore, from the language of House Bill 306 that it is an amendment of an initiated measure, namely, the initiated measure of 1926, and, therefore, as an amendment of said initiated measure, it would require a two-thirds majority of all members elect in both houses to effect its passage.

Yours very truly,

WALLACE E. WARNER
Attorney General

By P. O. Sathre
Assistant Attorney General

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 226.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to transmit:

House Bill No. 77
House Bill No. 78
House Bill No. 79
House Bill No. 109
House Bill No. 182
House Bill No. 190
House Bill No. 287
House Bill No. 342

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

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. 118, Reprs. Thompson of Richland, Holand and Schmidt.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 87.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 81.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to return:

Senate Bill No. 111
Senate Concurrent Resolution "S"

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

Senator Strand moved that the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

The Senate was on the eighth order of business.

Senator Day moved that a committee of two be appointed to escort Mrs. C. P. Dahl to the rostrum, which motion prevailed.

The President appointed as such committee Senators Day and Flatt.

Mrs. C. P. Dahl was escorted to the rostrum by Senators Day and Flatt.

Senator Day: I take pleasure in presenting to the first lady of the Senate this corsage on behalf of the Senate.

The President called Senator Day to the Chair.

Mrs. Dahl: Mr. President, I want to thank you each one of the Senate for this lovely corsage, and on behalf of the rest of the ladies of the Senate I want to express my deep appreciation for the many kindnesses and courtesies which we have been offered while we have been staying in Bismarck. We go home with many pleasant memories and I want to thank you one and all.

Senator Day: A few moments ago I appealed from the decision of the Chair. Now I submit to the decision of the Chair and submit to you that the Chair, many years ago, made a very fine decision.

The President resumed the Chair.

Senator Flatt requested a call of the Senate, which request was granted.

Senator Flatt moved that the call of the Senate be dispensed with, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 306

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

The Senate was on the 8th order of business.

Senator Day moved that he be granted permission to introduce a resolution, which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Resolution 4 be read from the desk, which motion prevailed.

Senate Resolution No. 4. A Resolution Relating to the Public Service Commission's Order in Approving Telephone Rate Increases.

Was read from the desk.

Senator Day moved that the Senate adopt Senate Resolution 4, which motion prevailed.

Senator Day moved that Senate Resolution 4 be printed in the Journal, which motion prevailed.

SENATE RESOLUTION No. 4

Introduced by Committee on Judiciary

A resolution relating to the public service commission's order in approving telephone rate increases.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA:

- 1 WHEREAS, The Northwestern Bell Telephone
- 1a Company
- 2 on the 16th day of October, 1948, filed an application
- 3 with the public service commission, requesting authority
- 4 to increase rates for local exchange telephone service in
- 5 all communities served by the company in the state of
- 6 North Dakota;
- 7 WHEREAS, The application was set for public
- 7a hearings,

8 at Fargo on November 8, 1948, at Jamestown on
8a November 9,
9 1948, at Bismarck on November 10, 1948, at Grand
9a Forks
10 on November 16, 1948, at Rugby on November 17, 1948,
10a at
11 Williston on November 18, 1948, and at Dickinson on
12 November 19, 1948, and notices of said hearings were
12a given
13 that may have been sufficient to comply with the statute
14 but were not sufficient to adequately advise the public
15 and interested persons of the nature and extent of the
16 proposed rate increase, with the result that the public
17 was not fully aware of what was contemplated until
17a after
18 the order approving the rate increase had been entered;
19 WHEREAS, The evidence given at the hearings by
19a the
20 Northwestern Bell Telephone Company was long, tech-
20a nical
21 and involved, to the extent that the ordinary practi-
21a tioner
22 or layman could not intelligently interpret the same
22a with-
23 out the assistance of specialists, counsel and accountants,
24 who themselves could not intelligently answer the same
25 without several weeks of preparation, investigation and
26 study, and sufficient time was not afforded to the
27 interested parties to prepare for an adequate hearing and
28 the public service commission itself was without adequate
29 personnel to thoroughly investigate the proposed rates;
30 WHEREAS, In said hearing and incorporated in the
31 record thereof, the commission was formally advised by
32 one of the city attorneys that a proposal would be made
33 on behalf of a number of cities to request a later hearing
34 at Bismarck on behalf of the cities generally, after an
35 opportunity had been afforded for the cities and their
36 counsel to examine in some detail the presentation that
37 had been made at the hearing by the Northwestern Bell
38 Telephone Company;
39 WHEREAS, This legislative assembly has made avail-
39a able
40 to the public service commission funds sufficient to
41 obtain sufficient and suitable personnel;
42 WHEREAS, The commission summarily disregarded
42a such
43 application and entered its order approving the applica-
43a tion
44 of the Northwestern Bell Telephone Company on the 20th
45 day of December, 1948, in which order the public service
46 commission found all of the statements and claims of the
47 Northwestern Bell Telephone Company to be true and in
48 every particular granted exactly what the Northwestern
49 Bell Telephone Company had asked in the way of rate
50 increases;
51 WHEREAS, The granting of said order and the ap-
51a proval
52 of said increases will cost the people of the state of
53 North Dakota approximately one million dollars more
53a each

54 year than was previously paid for telephone service; and
 55 WHEREAS, The public service commission acted
 55a hastily
 56 and without a full study of the questions involved in
 57 approving said order and the interested cities and
 58 individuals did not have an opportunity to examine the
 59 facts in order to determine what increase, if any, was
 60 justified and were not given sufficient opportunity to
 61 prepare and present any defense;
 62 NOW, THEREFORE, BE IT RESOLVED:
 63 1. We urge the public service commission to take
 64 immediate steps to reconsider said case and to impound
 65 the increased charges being collected until a final
 66 determination can be had on the merits pertaining to any
 67 proposed rate increase;
 68 2. That competent personnel and expert counsel be
 69 engaged and instructed to energetically prosecute the
 70 case in the interests of the telephone users of the state
 71 of North Dakota; and
 72 3. That the legislative research committee give
 73 consideration to additional legislation that may be pro-
 74 posed to further protect the interests of the public and
 75 facilitate the administration and handling of rate cases.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 1, have had the same under consideration and recommend that the conference committee could not come to a favorable agreement, so therefore recommend that a new conference committee be appointed, and your present conference committee requests that it be discharged.

For the Senate:
 E. H. BRANT
 R. H. LYNCH
 FRANKLIN PAGE

For the House:
 J. N. MOLLET
 H. B. BAEVERSTAD
 F. J. GRAHAM

Sen. Brant moved that the report be adopted, which motion prevailed and the report was adopted.

The President appointed as such Conference Committee on Senate Bill No. 1, Senators Brunsdale, Lynch and Day.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House, on Senate Bill No. 1, Senators Brunsdale, Lynch and Day.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
 Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee to act

with a like committee from the Senate on Senate Bill No. 1, Reprs. Bubel, Wolf and Fitch.

GEORGE OLSON, Chief Clerk.

Senator Brunsdale moved that Senator Day be released from the Conference Committee on Senate Bill No. 118, and that another Senator be appointed to take his place, which motion prevailed.

The President appointed Senator Duffy in place of Senator Day on the Conference Committee on Senate Bill No. 118.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "FF". A Concurrent Resolution Directed to the State Board of Higher Education and Board of Administration With Reference to Construction of Public Buildings.

Was read the first time.

Senator Streibel moved that the rules be suspended and that House Concurrent Resolution "FF" be placed on second reading and final passage.

Senator Streibel moved that House Concurrent Resolution "FF" be indefinitely postponed, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the President wishes to advise that Senator Day requested that his name be removed off of the conference committee on Senate Bill No. 118 and that Senator Duffy's name be placed in lieu thereof, which request was granted.

W. J. TROUT, Secretary.
Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to return:
House Concurrent Resolution "FF"
Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has adopted the conference committee reports on House Bills Nos. 57, 65 and 70.

GEORGE OLSON, Chief Clerk.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 57, have had the same under consideration and recommend: that the House adopt all Senate amendments, and further recommend that in line 9, change the figure \$7,400. to \$8,000. In line 14, change the total to \$23,200.00.

In line 4, change the figure "\$22,600.00" to the figure "\$23,200.00".

For the Senate:

E. B. LICHTY
A. J. SANDNESS
EMIL TORNO

For the House:

A. W. LUICK
S. R. RUDOLF
C. H. HOFSTRAND

Senator Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Sandness moved that House Bill No. 57 be placed on second reading and final passage as amended in Conference Committee, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 57

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in conference committee, the roll was called and there were ayes, 29; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Albers	Krenz	Reinke
Bilden	Leno	Sandness
Blume	Lichty	Schrock
Braun	Mehlhoff	Spiekermeier
Brunsdale	Morgan	Streibel
Coghlan	Nelson, McKenzie	Tuff
Feton	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welanders
Freed	Page	Wolf
Kamrath	Pyle	

Absent and not voting:

Bjorlie	Lynch	Shure
Brant	Nelson, Griggs-	Solberg
Bridston	Steele	Strand
Day	Nordhougen	Stucke
Duffy	O'Brien	Torno
Flatt	Rue	Troxel
Fraser	Schoeder	Work

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 65, have had the same under consideration and recommend:

That the House do concur in Senate amendments.

For the Senate:

RILIE R. MORGAN
MILTON RUE
ORRIS G. NORDHOUGEN

For the House:

ARLAN STAIR
A. C. JOHNSON
ELMER HEGGE

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Conference Committee to whom was referred House Bill No. 70, have had the same under consideration and recommend:

That the House do concur in Senate amendments.

For the Senate:

RILIE R. MORGAN
MILTON RUE
ORRIS G. NORDHOUGEN

For the House:

ARLAN STAIR
A. C. JOHNSON
ELMER HEGGE

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Conference Committee to whom was referred House Bill No. 63, have had the same under consideration and recommend:

That the House do concur in the Senate amendments.

For the Senate:

ORRIS G. NORDHOUGEN
RILIE R. MORGAN
AMOS FREED

For the House:

ARLEN STAIR
HARRY STORMON
KARL KLEPPE

Senator Nordhougen moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 118.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to return:

Senate Bill No. 220

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to return:

Senate Bill No. 218, which the House has amended as follows:

In line 25 of Section 1 of the engrossed bill, at the end of the line, strike out the period and insert in lieu thereof a semicolon; then add the following:

"provided, however, that this Act and the provisions thereof shall expire by their own limitation on July 1, 1961."

Renumber the lines.

Senate Bill No. 219, which the House has amended as follows:

In line 5 strike out everything after the word "beer".

In line 6 strike out the words "alcohol by weight" and after the word "sold" insert the words "in bottles or cans"

In lines 8 and 9 strike out the phrase "one dollar and twenty four per barrel of thirty-one gallons" and insert in lieu thereof "one cent per pint".

In line 10 strike out the word "bulk".

Renumber the lines.

GEORGE OLSON, Chief Clerk.
House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on Senate Bill No. 52.

GEORGE OLSON, Chief Clerk.

Senator Bridston requested a call of the Senate, which request was granted.

Senator Bridston moved that the call of the Senate be dispensed with, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bills Nos. 57, 63, 65 and 70.

W. J. TROUT, Secretary.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Brant moved that the Senate do concur in the House amendments to Senate Bill No. 218, which motion prevailed.

Senator Brant moved that the rules be suspended and that Senate Bill No. 218 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 218
Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were, ayes, 40; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Brant	Lynch	Sandness
Bridston	Mehlhoff	Schoeder
Brunsdale	Morgan	Shure
Coghlan	Nelson, McKenzie	Solberg
Day	Nelson, Griggs-	Spiekermeier
Duffy	Steele	Strand
Feton	Nordhougen	Streibel
Foss	O'Brien	Troxel
Fraser	Olson, Mountrail	Tuff
Freed	Olson, Barnes	Wahlund
Kamrath	Page	Welander
Krenz	Pyle	Wolf
Leno	Reinke	Work
Lichty	Rue	

Those voting in the negative were:

Albers	Braun	Schrock
Bjorlie	Flatt	Torno
Blume		

Absent and not voting:

Bilden	Stucke
--------	--------

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brant moved that the Senate do concur in the House amendments to Senate Bill No. 219, which motion prevailed.

Senator Brant moved that the rules be suspended and that Senate Bill No. 219 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 219

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 29; nays, 15; absent and not voting, 5.

Those voting in the affirmative were:

Brant	Kamrath	Reinke
Braun	Krenz	Rue
Bridston	Lichty	Sandness
Coghlan	Morgan	Schoeder
Day	Nelson, McKenzie	Shure
Duffy	Nelson, Griggs-	Strand
Feton	Steele	Troxel
Flatt	Olson, Barnes	Welander
Foss	Page	Wolf
Fraser	Pyle	Work

Those voting in the negative were:

Albers	Mehlhoff	Spiekermeier
Bjorlie	Nordhougen	Streibel
Blume	O'Brien	Torno
Freed	Olson, Mountrail	Tuff
Leno	Schrock	Wahlund

Absent and not voting:

Bilden	Lynch	Stucke
Brunsdale	Solberg	

So the bill was declared lost, for lack of a two-thirds majority.

Senator Bridston moved that the vote by which Senate Bill No. 219 was lost be reconsidered, which motion prevailed.

Senator Bridston moved a call of the Senate, which motion prevailed.

Senator Bridston moved that the call of the Senate be dispensed with, which motion prevailed.

Senate Bill No. 219

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 35; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

Albers	Kamrath	Rue
Bjorlie	Krenz	Sandness
Brant	Lynch	Shure
Bridston	Mehlhoff	Solberg
Brunsdale	Morgan	Spiekermeier
Coghlan	Nelson, McKenzie	Strand
Day	Nelson, Griggs-	Streibel
Duffy	Steele	Torno
Feton	Olson, Barnes	Troxel
Flatt	Page	Welanders
Foss	Pyle	Wolf
Fraser	Reinke	Work

Those voting in the negative were:

Blume	Lichty	Schrock
Braun	Nordhougen	Schoeder
Freed	O'Brien	Tuff
Leno	Olson, Mountrail	Wahlund

Absent and not voting:

Bilden	Stucke
--------	--------

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

The Senate was on the 8th order of business.

Senator Brunsdale moved that the Conference Committee on Senate Bill No. 1 is unable to agree and that the committee be discharged and a new committee be appointed, which motion prevailed.

The President appointed as such Conference Committee on Senate Bill No. 1, Senators Brunsdale, Lynch and Day.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House, on Senate Bill No. 1, Senators Brunsdale, Lynch and Day.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee, to act with a like committee from the Senate on Senate Bill No. 1, Reps. Graham, Thompson of Richland and Sailer.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on House Bill No. 63.

GEORGE OLSON, Chief Clerk.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 52, have had the same under consid-

eration and recommend that the same be amended as follows:

In line 15 of the engrossed bill strike out the figures "\$198,150.00" and insert the figures "\$258,150.00"

In the House amendment between lines 156 and 157 strike out the comma after "poultry" and insert the word "and" and after the word "creamery" strike out the words "and one irrigation", and change the figures "\$40,000.00" to "\$20,000.00" and on the next line after the items "Travel and expenses" strike out the figures "\$46,716.00" and insert the figures "\$40,000.00".

In line 157 strike out the figures "\$198,150.00" and insert the figures "\$258,150.00". Strike out all of the House amendment between lines 284 and 285.

In line 285 strike out the figures "\$263,995.00" and insert the figures "\$268,795.00".

And the Senate is to accept all other amendments made by the House.

For the Senate:

RILIE R. MORGAN
E. C. STUCKE
CLYDE DUFFY

For the House:

ARLAN STAIR
A. C. JOHNSON
M. T. LILLEHAUGEN

Senator Morgan moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 52 be deemed properly re-engrossed and placed upon second reading and final passage, as amended in Conference Committee, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 52

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in conference committee, the roll was called and there were, ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Albers	Leno	Sandness
Bjorlie	Lichty	Schrock
Blume	Mehlhoff	Schoeder
Brant	Morgan	Shure
Braun	Nelson, McKenzie	Solberg
Bridston	Nelson, Griggs-	Spiekermeier
Coghlan	Steele	Strand
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welanders
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Krenz	Rue	

Absent and not voting:

Bilden	Day	Streibel
Brunsdale	Lynch	Stucke

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 87, have had the same under consideration and recommend:

That the House recede from its amendment to Senate Bill No. 87 and that the bill as passed by the Senate be amended as follows:

On line 1, after the second word "action" insert the following language:

"except for breach of promise, alienation of affections, libel and slander."

For the Senate:

CARROLL E. DAY
CLYDE DUFFY
IVER SOLBERG

For the House:

F. J. GRAHAM
ROY A. HOLAND
WALTER BUBEL

Senator Flatt moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Duffy moved that the rules be suspended and that Senate Bill No. 87 be deemed properly re-engrossed and placed upon second reading and final passage, as amended, in Conference Committee, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 87

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 36; nays, 3; absent and not voting, 10.

Those voting in the affirmative were:

Blume	Lichty	Schoeder
Brant	Mehlhoff	Shure
Braun	Nelson, McKenzie	Solberg
Coghlan	Nelson, Griggs-	Spiekermeier
Duffy	Steele	Strand
Feton	Olson, Mountrail	Torno
Flatt	Olson, Barnes	Troxel
Foss	Page	Tuff
Fraser	Pyle	Wahlund
Freed	Reinke	Welander
Kamrath	Rue	Wolf
Krenz	Sandness	Work
Leno		

Those voting in the negative were:

Albers	Bjorlie	Schrock
Absent and not voting:		
Bilden	Lynch	O'Brien
Bridston	Morgan	Streibel

Brunsdale Nordhougen Stucke
Day

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 118, have had the same under consideration and recommend:

That the Senate concur in the House amendment.

For the Senate:

CLYDE DUFFY
JOHN COGLAN
LAVERN SCHOEDER

For the House:

RAY THOMPSON
MATT SCHMIDT
ROY A. HOLAND

Senator Duffy moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Duffy moved that the rules be suspended and that Senate Bill No. 118 be deemed properly re-engrossed and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 118

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Albers	Leno	Shure
Bjorlie	Lichty	Solberg
Blume	Mehlhoff	Spiekermeier
Brant	Nelson, McKenzie	Strand
Braun	Nordhougen	Streibel
Bridston	Olson, Mountrail	Torno
Coghlan	Olson, Barnes	Troxel
Duffy	Page	Tuff
Feton	Reinke	Wahlund
Flatt	Rue	Welanders
Fraser	Sandness	Wolf
Kamrath	Schrock	Work
Krenz	Schoeder	

Absent and not voting:

Bilden	Freed	O'Brien
Brunsdale	Lynch	Pyle
Day	Morgan	Stucke
Foss	Nelson, Griggs- Steele	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the

Senate has adopted the report of the Conference Committee on Senate Bills Nos. 52, 87 and 118.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 218 and 219.

W. J. TROUT, Secretary.

REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 1, have had the same under consideration and recommend that no agreement could be reached and that a new conference committee be appointed.

For the Senate:

CARROLL E. DAY
R. H. LYNCH
C. N. BRUNSDALE

For the House:

WALTER BUBEL
K. A. FITCH
BEN J. WOLF

Sen. Brunsdale moved that the report be adopted, which motion prevailed and the report was adopted.

The President appointed as such Conference Committee Senators Day, Lynch and Brunsdale.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the Senate on Senate Bill No. 1, Senators Brunsdale, Lynch and Day.

W. J. TROUT, Secretary.

Senator Brunsdale moved that the Senate do now recess until the call of the Chair, which motion prevailed.

The Senate reconvened pursuant to the call of the Chair.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee, to act with a like committee from the Senate on Senate Bill No. 1, Reps. Graham, Thompson of Richland and Sailer.

GEORGE OLSON, Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 5
House Bill No. 21
House Bill No. 61
House Bill No. 67

House Bill No. 77
 House Bill No. 78
 House Bill No. 79
 House Bill No. 109
 House Bill No. 126
 House Bill No. 154
 House Bill No. 162
 House Bill No. 173
 House Bill No. 182
 House Bill No. 190
 House Bill No. 194
 House Bill No. 195
 House Bill No. 204
 House Bill No. 223
 House Bill No. 224
 House Bill No. 227
 House Bill No. 247
 House Bill No. 264
 House Bill No. 272
 House Bill No. 273
 House Bill No. 282
 House Bill No. 284
 House Bill No. 287
 House Bill No. 288
 House Bill No. 291
 House Bill No. 324
 House Bill No. 335
 House Bill No. 342
 House Bill No. 344
 House Concurrent Resolution "F"
 House Concurrent Resolution "L"
 House Concurrent Resolution "M"
 House Concurrent Resolution "Y"
 House Concurrent Resolution "Z"

And the President signed the same in the presence of the Senate.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 28
 Senate Bill No. 46
 Senate Bill No. 51
 Senate Bill No. 55
 Senate Bill No. 56
 Senate Bill No. 69
 Senate Bill No. 74
 Senate Bill No. 75
 Senate Bill No. 76
 Senate Bill No. 79
 Senate Bill No. 80
 Senate Bill No. 81
 Senate Bill No. 82
 Senate Bill No. 84
 Senate Bill No. 93
 Senate Bill No. 103
 Senate Bill No. 114
 Senate Bill No. 115
 Senate Bill No. 126
 Senate Bill No. 131
 Senate Bill No. 157

Senate Bill No. 161
Senate Bill No. 186
Senate Bill No. 191
Senate Bill No. 198
Senate Bill No. 208
Senate Bill No. 207
Senate Bill No. 214
Senate Bill No. 221
Senate Bill No. 222
Senate Bill No. 223
Senate Bill No. 225
Senate Bill No. 228
Senate Bill No. 238
Senate Bill No. 244

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 157

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 127

Which the President has signed.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to return:

Senate Bill No. 157

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

REPORT OF STANDING COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 157 was delivered to the Governor for his approval at the hour of 11:10 a. m., o'clock, March 4, 1949.

EMIL TORNO, Chairman.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to transmit:

House Bill No. 54

House Bill No. 66

House Bill No. 101

House Bill No. 134

House Bill No. 183

House Bill No. 226

House Bill No. 241
 House Bill No. 290
 House Bill No. 292
 House Concurrent Resolution "BB"
 House Concurrent Resolution "CC"
 House Concurrent Resolution "DD"

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarck, March 4, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 5
 House Bill No. 21
 House Bill No. 61
 House Bill No. 67
 House Bill No. 77
 House Bill No. 78
 House Bill No. 79
 House Bill No. 109
 House Bill No. 126
 House Bill No. 154
 House Bill No. 162
 House Bill No. 173
 House Bill No. 182
 House Bill No. 190
 House Bill No. 194
 House Bill No. 195
 House Bill No. 204
 House Bill No. 223
 House Bill No. 224
 House Bill No. 227
 House Bill No. 247
 House Bill No. 264
 House Bill No. 272
 House Bill No. 273
 House Bill No. 282
 House Bill No. 284
 House Bill No. 287
 House Bill No. 288
 House Bill No. 291
 House Bill No. 324
 House Bill No. 335
 House Bill No. 342
 House Bill No. 344
 House Concurrent Resolution "F"
 House Concurrent Resolution "M"
 House Concurrent Resolution "L"
 House Concurrent Resolution "Y"
 House Concurrent Resolution "Z"

Which the President has signed.

W. J. TROUT, Secretary.

REPORTS OF STANDING COMMITTEE

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following bill:

Senate Bill No. 111 and find the same correctly enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution "S" and find the same correctly enrolled .

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 111

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 111

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to return:

Senate Bill No. 111

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 54

House Bill No. 66

House Bill No. 101

House Bill No. 134

House Bill No. 183

House Bill No. 226

House Bill No. 241

House Bill No. 290

House Bill No. 292

House Concurrent Resolution "BB"

House Concurrent Resolution "CC"

House Concurrent Resolution "DD"

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution "S"

And the President signed the same in the presence of the Senate.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to transmit:
House Concurrent Resolution "GG"

Which the House has passed and your favorable consideration is requested.

GEORGE OLSON, Chief Clerk.

Senator Bridston moved that the Senate recess until the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 1 made the following report:

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 1, have had the same under consideration and recommend:

That the House recede from its amendments to Senate Bill No. 1, and that the engrossed bill be amended as follows:

In line 27 at the end of the line add this sentence: "The Governor shall have no veto power on the Industrial Commission for the purposes of this act; a majority thereof shall govern."

In line 38 strike out the period after the word "maturities", insert a "comma", and add the following language "and the industrial commission shall fix the maximum rate of interest they shall bear."

In line 58 after the word "North Dakota" insert the following language "or at the Bank of North Dakota".

At the end of Section 7 add the following language "There is also hereby appropriated and the State Treasurer is authorized in like manner to transfer from the general fund the proceeds of the veterans' adjusted compensation income tax provided for by Senate Bill No. 214 of the 31st Legislative Assembly of 1949 to the sinking fund established under the provisions of this act for payment of such bonds.

"In addition to the appropriations herein made, there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of two and one-half million dollars (\$2,500,000.00) for the sinking fund established under the provisions of this act for the payment of bonds as provided for herein, and the State Treasurer is hereby authorized and directed to transfer said sum of two and one-half million dollars (\$2,500,000.00) into said fund."

In line 94 strike out the word "twenty-five" and insert in lieu thereof the word "thirty."

In line 119 after the comma following the phrase "North Dakota" insert the following language "which tax shall not be less than \$1,560,000.00 per year."

Renumber the lines accordingly.

For the Senate:

CARROLL E. DAY
R. H. LYNCH
C. N. BRUNSDALE

For the House:

F. J. GRAHAM
RAY THOMPSON
E. G. SAILER

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brunsdale moved that the rules be suspended and that Senate Bill No. 1 be deemed properly re-engrossed and placed upon second reading and final passage, as amended in Conference Committee, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 1

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Krenz	Reinke
Bjorlie	Leno	Rue
Blume	Lichty	Sandness
Brant	Lynch	Schrock
Braun	Mehlhoff	Schoeder
Bridston	Morgan	Shure
Brunsdale	Nelson, McKenzie	Streibel
Coghlan	Nelson, Griggs-	Stucke
Day	Steele	Torno
Duffy	Nordhougen	Troxel
Flatt	O'Brien	Tuff
Feton	Olson, Mountrail	Wahlund
Foss	Olson, Barnes	Welder
Fraser	Page	Wolf
Freed	Pyle	Work
Kamrath		

Absent and not voting:

Bilden	Spiekermeier	Strand
Solberg		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that the vote by which Senate Bill No. 1 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the conference committee on Senate Bill No. 1.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 28
 Senate Bill No. 46
 Senate Bill No. 51
 Senate Bill No. 55
 Senate Bill No. 56
 Senate Bill No. 69
 Senate Bill No. 74
 Senate Bill No. 75
 Senate Bill No. 76
 Senate Bill No. 79
 Senate Bill No. 80
 Senate Bill No. 81
 Senate Bill No. 82
 Senate Bill No. 84
 Senate Bill No. 93
 Senate Bill No. 114
 Senate Bill No. 115
 Senate Bill No. 126
 Senate Bill No. 161
 Senate Bill No. 186
 Senate Bill No. 191
 Senate Bill No. 198
 Senate Bill No. 203
 Senate Bill No. 207
 Senate Bill No. 214
 Senate Bill No. 221
 Senate Bill No. 222
 Senate Bill No. 223
 Senate Bill No. 225
 Senate Bill No. 228
 Senate Bill No. 238
 Senate Bill No. 244

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

FIRST READING OF HOUSE BILLS

House Concurrent Resolution "GG." A Concurrent Resolution to Pay the Employees of the Thirty-first Legislative Session One Dollar Per Day to Help Defray Expenses During the 60 Days of the Legislative Session.

Was read for the first time.

Senator Flatt moved that the rules be suspended and that House Concurrent Resolution "GG" be placed on second reading and final passage, which motion prevailed.

Senator Flatt moved that House Concurrent Resolution "GG" be amended as follows: After the word "day" in line 9, strike out the remainder of the line and all of line 10 and insert the following language: "for the number of days served", which motion prevailed.

Senator Flatt moved that House Concurrent Resolution "GG" be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Concurrent Resolution "GG"

Was read the second time.

ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Albers	Leno	Rue
Bjorlie	Lichty	Sandness
Blume	Lynch	Schrock
Brant	Mehlhoff	Schoeder
Braun	Morgan	Shure
Bridston	Nelson, McKenzie	Solberg
Brunsdale	Nelson, Griggs-	Streibel
Coghlan	Steele	Stucke
Duffy	Nordhougen	Torno
Feton	O'Brien	Troxel
Flatt	Olson, Mountrail	Tuff
Foss	Olson, Barnes	Wahlund
Fraser	Page	Welander
Freed	Pyle	Wolf
Kamrath	Reinke	Work
Krenz		

Absent and not voting:

Bilden	Spiekemeier	Strand
Day		

So the Resolution passed and the title was agreed to.

Senator Flatt moved that the vote by which House Concurrent Resolution "GG" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to return:
House Concurrent Resolution "GG"
Which the Senate has amended.

W. J. TROUT, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 1.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 221.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to return:
Senate Bill No. 32

Which the House has passed unchanged.

GEORGE OLSON, Chief Clerk.

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution "GG".

GEORGE OLSON, Chief Clerk.

The President appointed to serve on the Legislative Research committee, Senators Day, Lynch, Brant, Shure and Leno.

Senator Bridston: We have the matter of electing a President Pro Tem for the interim and I am going to nominate a man that came to the Senate with us and who was prominently mentioned as President Pro Tem at the beginning of the session. He has served faithfully. I nominate as President Pro Tem for the interim, the gentleman with the sense of humor from Ward County, Walter Troxel.

Walter Troxel was elected President Pro Tem for the interim by a unanimous standing vote.

Senator Troxel: Mr. President. This came as quite a surprise to me and in making an acceptance speech for a position as important as President Pro Tem for the interim it would take about three days to prepare it, and I am sure that you would not appreciate it if I kept you here for three days to write a speech, so I am just going to say to you, thank you, and I hope that I shall never be required to act.

Senator Brunsdale moved that the Legislative Research Committee be requested to examine the rules of the Senate and House, together with the joint rules thereof, with the end in view in making such correctoins as it deems fit, and submit a report to the rules committees of both houses of the Thirty-second Legislative Assembly, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 1
Senate Bill No. 52
Senate Bill No. 220
Senate Resolution No. 4

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 32
Senate Bill No. 78
Senate Bill No. 87
Senate Bill No. 118
Senate Bill No. 218
Senate Bill No. 219

And find the same correctly Enrolled.

EMIL TORNO, Chairman.

Senator Torno moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 1
Senate Bill No. 32
Senate Bill No. 52
Senate Bill No. 78
Senate Bill No. 87
Senate Bill No. 118
Senate Bill No. 218
Senate Bill No. 219
Senate Bill No. 220
Senate Resolution No. 4

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1
Senate Bill No. 32
Senate Bill No. 52
Senate Bill No. 78
Senate Bill No. 87
Senate Bill No. 118
Senate Bill No. 218
Senate Bill No. 219
Senate Bill No. 220
Senate Concurrent Resolution "S"

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 54
House Bill No. 66
House Bill No. 101
House Bill No. 134
House Bill No. 183
House Bill No. 226
House Bill No. 241
House Bill No. 290
House Bill No. 292
House Concurrent Resolution "BB"
House Concurrent Resolution "CC"
House Concurrent Resolution "DD"

Which the President has signed.

W. J. TROUT, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 4, 1949

Mr. President: I have the honor to return:

Senate Bill No. 1
 Senate Bill No. 28
 Senate Bill No. 32
 Senate Bill No. 46
 Senate Bill No. 51
 Senate Bill No. 52
 Senate Bill No. 55
 Senate Bill No. 56
 Senate Bill No. 69
 Senate Bill No. 74
 Senate Bill No. 75
 Senate Bill No. 76
 Senate Bill No. 78
 Senate Bill No. 79
 Senate Bill No. 80
 Senate Bill No. 81
 Senate Bill No. 82
 Senate Bill No. 84
 Senate Bill No. 87
 Senate Bill No. 93
 Senate Bill No. 114
 Senate Bill No. 115
 Senate Bill No. 118
 Senate Bill No. 126
 Senate Bill No. 161
 Senate Bill No. 186
 Senate Bill No. 191
 Senate Bill No. 198
 Senate Bill No. 203
 Senate Bill No. 207
 Senate Bill No. 214
 Senate Bill No. 218
 Senate Bill No. 219
 Senate Bill No. 220
 Senate Bill No. 221
 Senate Bill No. 222
 Senate Bill No. 223
 Senate Bill No. 225
 Senate Bill No. 228
 Senate Bill No. 238
 Senate Bill No. 244
 Senate Concurrent Resolution "S"

Which the Speaker has signed.

GEORGE OLSON, Chief Clerk.

House Chamber
 Bismarck, March 4, 1949

Mr. President: I have the honor to transmit:

House Bill No. 57
 House Bill No. 63
 House Bill No. 65
 House Bill No. 70
 House Bill No. 163
 House Bill No. 306
 House Bill No. 314
 House Concurrent Resolution "GG"

Which the Speaker has signed and your signature is respectfully requested.

GEORGE OLSON, Chief Clerk.

SIGNING OF BILLS

The Secretary announced the President was about to sign:

House Bill No. 57
House Bill No. 63
House Bill No. 65
House Bill No. 70
House Bill No. 163
House Bill No. 306
House Bill No. 314
House Concurrent Resolution "GG"

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1949

Mr. Speaker: I have the honor to return:

House Bill No. 57
House Bill No. 63
House Bill No. 65
House Bill No. 70
House Bill No. 163
House Bill No. 306
House Bill No. 314
House Concurrent Resolution "GG"

Which the President has signed.

W. J. TROUT, Secretary.

REPORTS OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 1
Senate Bill No. 23
Senate Bill No. 32
Senate Bill No. 40
Senate Bill No. 51
Senate Bill No. 52
Senate Bill No. 55
Senate Bill No. 56
Senate Bill No. 69
Senate Bill No. 74
Senate Bill No. 75
Senate Bill No. 76
Senate Bill No. 78
Senate Bill No. 79
Senate Bill No. 80
Senate Bill No. 81
Senate Bill No. 82
Senate Bill No. 84
Senate Bill No. 87
Senate Bill No. 93
Senate Bill No. 103
Senate Bill No. 111
Senate Bill No. 114
Senate Bill No. 115
Senate Bill No. 118
Senate Bill No. 126
Senate Bill No. 131

Senate Bill No. 161
 Senate Bill No. 186
 Senate Bill No. 191
 Senate Bill No. 198
 Senate Bill No. 203
 Senate Bill No. 207
 Senate Bill No. 214
 Senate Bill No. 218
 Senate Bill No. 219
 Senate Bill No. 220
 Senate Bill No. 221
 Senate Bill No. 222
 Senate Bill No. 223
 Senate Bill No. 225
 Senate Bill No. 228
 Senate Bill No. 238
 Senate Bill No. 244

Were delivered to the Governor for his approval at the hour of 4:45 o'clock p.m., March 4, 1949.

EMIL TORNO, Chairman.

The Committee on Enrollment and Engrossment respectfully reports:

Senate Resolution 4.
 Senate Concurrent Resolution "S"

Were delivered to the Secretary of State at the hour of 4:45 o'clock p.m., March 4, 1949.

EMIL TORNO, Chairman.

Senator Stucke: Mr. President. The good fellowship club has asked me to say a few words to you. This isn't very hard to do. It is a pleasant task, and these remarks that I make about you, or to you, will be in the spirit of good fellowship, appreciation and everything that goes towards making the end of this session a more than happy one. Often during the debates remarks are thrown from this side to the east side and then back again. Through your good efforts, the scene becomes placid and after a few minutes, or less than that, a smile pervades the faces of all. I am not going to advance any platitudes about your ability. I am not going to overestimate them, nor am I going to inflate your ego, if you have any. We all have some. I myself have. It has always been my idea that if people don't like me, they just don't. If they don't like you, they don't. Now if you were presiding centuries ago, I think maybe you might have been called "Presidium of the Senatus Romanus." Since you are here it is "President of the Senate." As I said I am not going to flatter you by telling you that you are the best presiding officer we ever had. I have served with quite a number of them. I will say this, however, and I will not have to retract one iota of it, and I think you will get a 100% vote from the Senate on this, "that we have had no better." I think that is the best way to put it, Mr. President. Now as the hours pass and again when the gavel goes down and we adjourn "sine die," we can say with the Romans, "Jucundi-acti-labores," "Pleasant are the labors when completed." I wish you, Mr. President and your wife, the best of health and all good things in life.

Mr. President: Senator Stucke, Honorable Members of this august assembly, ladies, friends and citizens of North

Dakota. I must say that I accept this eulogy of the Senator in the greatest of humiliation because, after all when I was elected as Lieutenant Governor of the State of North Dakota, back in 1944, I pledged to myself to do but one thing, and that was to recognize the rights of the minority. I have endeavored to conduct the business of the Senate on those principles and after all, if this country ever gets to where a minority has no recognition, then I want to say God help North Dakota and the United States, and I think it is due to those pledges that I made to myself that I have been, in a small measure, successful in presiding over this august body these three sessions. It has been a great honor that the people of North Dakota have bestowed upon me, the office of Lieutenant Governor. It is not the emoluments of the office that would attract any one but it is the honor, and I am probably one man, in fact I am the man, the only one so far in the State of North Dakota that has been granted that honor of being elected Lieutenant Governor of the State for three terms, and when we adjourn "sine die" the Thirty-first Legislative Session, I am going to leave for the succeeding Lieutenant Governor this gavel that I hold in my hand and I hope that he may have the courtesy and cooperation that I have received in the three sessions that I have presided in using this gavel to keep those three assemblies in order, and I am going to make it a point, if I live or don't live, that this gavel shall be here on the desk in 1951 when you assemble here again, and with that I am going to say thank you a lot for your consideration and you people probably don't know how much I have appreciated that courtesy, the help and assistance that you Senators have given me up here on the desk, especially you two floor leaders. Senator Streibel has been one of the greatest assistants that I have had during my three sessions as Lieutenant Governor. Senator Brunsdale has given me all the assistance that has been humanly possible for anyone who has been the majority floor leader. I wish to thank you all for this token presented to Mrs. Dahl and myself. I am sure we shall enjoy it with fond memories.

At this time, I also wish to say to Mr. and Mrs. Cooper that we have through this session, appreciated the fine service, the food and the courtesies which have always prevailed in the capitol lunchroom. Under their management and operation, the Capitol Lunch Room has been a credit to them and to the State of North Dakota.

Senator Mehlhaff: Mr. President, Senators, and friends.

I am very grateful for this privilege and opportunity. Especially do I feel highly honored to be the one chosen by this august body to address this Senator.

I am holding in my hand a slip of paper suggesting that the Senators limit their presentation talks to three minutes. I want to say at this time that no individual can describe the character of a man that is as great as this Senator. I could, however, do a little justice to the Senator if I had 90 minutes. Then I could only scratch the surface.

First I want to say that we fully enjoyed working with the Senator. The thing that strikes me is that in the Senate we can all differ and express our views and tell each other what we think. I have thought many times: "where in the world could we find another group of people like this." And

when it is all said and done, we usually arrive at a good conclusion.

Books are written on friendship and many of them tell us that a man only has three close friends at any time during his life, and they are not any blood relation, but someone else and usually of the same sex, the Senator became one of such friends. Man does a considerable amount of thinking. These thoughts are carried in his mind and in due time they become a fact. It is, therefore, highly essential for him to distinguish whether these thoughts are good or bad and must possess the ability to immediately expell them if they gain entrance and do not become a thought of harmony in that individual's life. I, too, carried such a thought, but I soon learned that I was forced to expell them due to the fact that they were of such a nature that they were controversial to the thinking of the average senator. This senator helped to change my thinking.

I shall never forget the first time I had the opportunity of meeting this Senator. I asked him what type of business he was in, and he informed me that he was in the insurance business. He kept on talking, telling me the reasons he was in the insurance business, which was not his choice. He wanted to be a mechanic, but his father decided differently, as his father was of the opinion that he did not have enough sense to become a mechanic.

I wish that I would possess the power of speech to describe this Senator. First I want to say that he is possessed with a friendly attitude which is a great asset in the Senate, and of course, brings a joy and blessing to all those he comes in contact with. He seems to be possessed with a spirit from on high in which he has attained certain qualities and characteristics such as: sympathy, kindness, neatness and charity.

It seems that helping others is one of the great qualities he possesses. Not only giving in material things, but always ready to impart his great knowledge and wisdom to those who are not as fortunate as he is.

He is of the opinion, and believes in the Good Book and makes it his Golden Rule, that it is more blessed to give than to receive. In other words, he finds great joy and satisfaction in the act of imparting knowledge to others, and actually feeling that one is a part of the success of another.

He cares more for principal than power or material possession such as money, or rather for right adjustment of life than for the gross accumulation of profit. He never spares any pain of any nature, nor any expense to express kindness to anyone. That is why he became a great asset to our Senate, and became in many instances, a pillar for us to lean upon and have him carry on.

It is said that the brave man was not he who never felt fear, but he who advances in spite of it. In many ways, he reminds me of the two men that went out fishing, and one was catching fish after fish while the other one, just about 10 feet away finally yelled in irritation, "How do you manage to catch so many fish while I get none?" "Very simple," replied the other man, "The fish over here are not afraid to open their mouths." For that quality I admire the

Senator to the highest extent for he was not afraid to open his mouth.

To show our gratitude for the love and affection we have for you the Senate has decided to present you with a little gift, but before I do that, I want to say, I highly appreciate and feel indeed very happy that I am counted as a small link in your long chain of friendship.

We do hope the friendship which we have established here in the Senate will continue as the years go by, and shall be renewed in the day of eternity. We do not know how many of us will return for the next session, but we do know that we can renew this friendship.

On behalf of the employees and the Senators, I herewith present you with this gift as a token of the high esteem and respect we have for you as President Pro Tem of the 31st Legislative Session in the year 1949.

Senator Bridston: Mr. and Mrs. President, colleagues, ladies and gentlemen, Dr. Mehlhaff. I do have to say that I appreciate all the nice things that were said about me. Of course, no one deserves the eulogy that only Dr. Mehlhaff can give. In Legislative Session, whether in the Senate or in the House, we do disagree. Yes, we fight. Sometimes we get quite bitter but after it is all over we forget it because we know that when the next question presents itself we may be fighting side by side and after the session is all over there is sadness in our hearts because we are leaving friends, close friends. There is a strange relationship between men that serve together every day for sixty days and that go through the experiences that we do. There is a friendship that no one can explain. I appreciate very deeply the honor of having been able to serve you as President Pro Tem of the North Dakota Senate.

Senator Page: Mr. President. On behalf of the Senate I want to address my remarks to another good colleague who has served the State of North Dakota and this legislature for many years, Senator Brant. He has one of the toughest jobs of any member here. He has been reelected time after time. There is a story that is told about an old legislator who was reelected year after year. One of the news hounds got ahold of him and asked him what the secret was and he said: "There isn't any secret, all I do is vote for every appropriation and against every tax measure. Senator Brant has had a tough job as chairman of the tax committee. It has been his job to keep the revenue coming in as fast as we are able to spend it. How he has been able to do this and to keep his temper and to stay in the good graces of the people back home is something I don't understand. We hope he has good luck and keeps it up for a good many more years and that he returns again.

Senator Brant: Senator Page, Colleagues, and Mr. and Mrs. President. This is somewhat unexpected. I did not know that the chairman of the finance committee was going to be honored in this fashion this evening. I realize, as the Senator says, that taxes and the way we are going to raise the money to continue to operate is a big question. I talked to someone the other day who told me that back at home they are calling us the "Million Dollar Club" down here. I realize that this has been a time when the Senate has thought it was necessary in order to meet the necessary

needs that we had to take care of, that we had to appropriate what will probably be the largest budget that the State ever had. It has been hard work but after all I had a lot of good help. I had a wonderful committee. They were very cooperative and I believe that after everything is said and done that we have done as good a job as could be done in the circumstances and I thank you all for your cooperation.

Senator Schrock: Mr. President: Members of the Senate: Now that we are nearing the hour of adjournment of the Thirty-first legislative session and the smoke of the battle is clearing away and the heat of debate is past, we are in a position to evaluate our actions.

During that time we have further learned to respect our fellow senators, and in spite of differences in opinions, appreciate honest and sincere effort.

When I first came to the Senate in 1943, I learned to know a member of this body, who then with years of past service here had won the respect and confidence of all his contemporaries.

To those of this body serving your first session, I am sure that you have been impressed as I was. To those, who have served for a longer time there is nothing which could be said to deepen your admiration and respect.

As an illustration I might call your attention to an instance today in which a senator voted against his own motion after a short speech by this very able senator.

I speak of none other than the widely known and capable majority floor leader of this body, Senator Brunsdale.

Senator Brunsdale, at this time, in behalf of your fellow senators it is my privilege and pleasure to present you this small token of our appreciation for well rendered service.

Senator Brunsdale: Mr. President, Mrs. Dahl, Senator Schrock and all other Senators. I appreciate the cooperation each and every one of you have given me during this session that is fast drawing to a close. My task has been an easy one. Sometimes I think I have been the majority floor leader and sometimes I think I have been the minority floor leader. This is immaterial. Legislation, after all, is mostly compromise. You and I disagree but finally we have to accept the verdict of the majority. If it were not so we would not have the kind of representative government we have today. The only thing that matters is whether you and I vote according to our judgment as we understand legislation that comes up, and try to do what we have sworn we will do to the best of our ability and knowledge. I think good legislation is lost at times because people do not exercise the judgment they may have, they possibly vote their prejudices. Of those that are here, I want to believe it was their judgment that they voted in each case where final passage was involved.

I am going home to stay; I think I have served long enough. I told you that four years ago. This time I am going to find somebody that will take my place. I am not doing it because I dislike the job of being a State Senator in North Dakota. I have enjoyed serving immensely, and I have learned a lot. Sometime ago I had a degree conferred upon me by someone in the County who said that I was a "half-baked barrister" but he gave it by another title. Someone else here referred to another man who had attained a similar

accomplishment and the two together make one attorney. Most of all I prize highly the friendships that I have gained here, both men and women. Of those who have served in the Senate in all the years I have been here, some have served on the desk force, some as employees in the Senate, and among them I have met a lot of people whose names I possibly can't remember. Nevertheless, those that I have served with in the Senate, those people that I have met here will be missed just as was true of the people I went to school with in the days of high school. It was not easy to leave them and say goodbye. College days the same, of course. Now when we grow older and leave friends that we have acquired, it is not easy to make new friends. I have made many friends since 1927, when I first came to the Senate.

I expect to come back and visit you once in awhile and renew the friendships with those of you who come back. I hope most of you come back. North Dakota needs the services of men who are willing to give their time. I know the money does not pay for your time here. Maybe sometime in the future the people of the State will compensate you properly for the services you render. I think everyone that feels that he owes something to the State should be called upon to serve in the legislative assembly. When one serves for one session or two here his information is worth a lot and when he continues to serve for several sessions it is worth more.

Again may I express to each and every one of you, to you Senator Schrock, to you Mr. President, and to you Senator Streibel, the minority floor leader, and each and everyone of you, my appreciation for the cooperation and kindness you have shown me. I also wish to thank you for the token of your appreciation which you have given me tonight. Thank you. You have been most kind.

Senator Flatt: Mr. President. I never made a speech in my life and I am not going to start now at eleven o'clock at night. The man I am to eulogize isn't hard to eulogize. He can quote from Shakespeare, Kipling, Browning and even from Carter's Liver Pills. The kind remarks that have been said about every other Senator is very applicable to him. He is a man who has convictions and he has intestinal fortitude to do something about them. We don't always agree with him. When you don't agree with him, we hear from him. I would almost rather be Daniel in the lions den than to fight with the Senator from Wells. Some years ago the Senate presented Senator Streibel with a gift. He did not even know how to operate it. It was a pressure cooker. It was a good gift. A wonderful gift. The reason I say that is because we who live in the country know that the man who lives in the country is no greater than the wife who lives with him. This year, Senator Streibel, we are going to present you with a gift you will probably be able to operate yourself. Mrs. Streibel will be able to stay in bed longer in the mornings. It is a pleasure to present you with this gift.

Senator Streibel: Mr. President, Senator Flatt and colleagues. Of what consequence, the laws we enacted during this session of the legislature are, compared with the laws as they existed prior to 1949 cannot be fully answered tonight. Even after they will have governed us for two years

the legislature of 1951 may still be looking for the answer regarding some of them. But whether we were right or wrong this much we do know that the laws we did pass were enacted as a result of present day politics. I care not how loosely others may use the word politics because I have a constant definition of my own which says; politics is the instrument that controls mans' power.

This power inherent in present day politics has increased in magnitude until it has almost reached omnipotent proportions. For that reason I take my politics serious. A political blunder by any legislator generally becomes too costly for his constituents.

Before I progress any further with my observations let me call to your attention the fact that the legislator of today does not, if he ever did, act in the capacity of a political-issue manufacturer. With perhaps rare exceptions, real political issues are never established by the leaders of parties. They declare themselves as they emanate from the natural fountain of public opinion. We as legislators are merely acting as mediators for the people of N. Dak. From time to time as I come into contact with you men I have learned more and more of your problems. Let us hope that some day our mutual understanding will reach a point where we can all stand on the common ground of complete understanding.

From now on I will proceed under our 14th order of business which is the order of unfinished business. At the close of every session after the last conference committee has come to an agreement and the last bill on the calendar has been passed we come to the days occupation we love most. Its the occupation we are at present engaged in as we relax from sixty days of labor for the sole purpose of saying thank you and you and you and all the rest of you. There is perhaps no other duty in life which I have underestimated so much and neglected so often as the duty to vocally express my gratitude to my friends.

Ever since I have been a member of the legislature I have served on many committees. The contributions I made to these various committees are of little significance, if any. But the knowledge and experience I gained from these committees is of inestimable value. Therefore, at this time I will say to all the chairmen under whom I served; Thank you ever so much for your every benevolent act toward me. To the members of all committees, which naturally includes every member of the Senate, I am equally as grateful for their advice, council and kind consideration. To the employees I am indebted for their many services they rendered me always with smiling faces and willing hands.

To our industrious president who worked so patiently, so diligently without any perceptible sign of irritation, I am especially grateful. To sum it all up let me say that all of you together made my work more pleasant. My only regret is that I did not do as much for you. Those of us who have had many years of experience in legislative matter must realize, tonight, with a new awareness that a lack of understanding is a stumbling block to good legislation. Therefore as a parting remark, for our mutual benefit, I will recite the poem "Not Understood" by Thomas Bracken.

NOT UNDERSTOOD

Not understood. We move along asunder;
 Our paths grow wider as the seasons creep
 Along the years; we marvel and we wonder
 Why life is life. And then we fall asleep—
 Not understood.

Not understood. We gather false impressions,
 And hug them closer as the years go by,
 Till virtues often seem to us transgressions;
 And thus men rise and fall, and live and die—
 Not understood.

Not understood. Poor souls with stunted vision
 Oft measure giants by their narrow gauge;
 The poisoned shafts of falsehood and derision
 Are oft impelled 'gainst those who mould the age—
 Not understood.

Not understanding. The secret springs of action
 Which lie beneath the surface and the show
 Are disregarded; with self-satisfaction
 We judge our neighbor, and they often go—
 Not understood.

Not understood. How trifles often change us!
 The thoughtless sentence or the fancied slight
 Destroys long years of friendship, and estrange us,
 And on our souls there falls a freezing blight—
 Not understood.

Not understood. How many breasts are aching
 For lack of sympathy! Ah, day to day
 How many cheerless, lonely hearts are breaking!
 How many noble spirits pass away—
 Not understood.

O God! that men would see a little clearer,
 Or judge less harshly where they cannot see;
 O God! that men would draw a little nearer
 To one another; they'd be nearer Thee—
 And understood.

—Thomas Bracken.

The Senate was on the eighth order of business.
 Senator Lichty read a poem which he had written about
 the Thirty-first Legislative assembly.

Senator Rue moved that the poem written by Senator
 Lichty be printed in the journal, which motion prevailed.

Senate Bill number one
 The 31st legislature begun
 The bonus bill our chief concern
 The many other needed laws
 To pass with least of flaws
 During this legislative term.

Beginning with Senator Pyle
 These forty-nine Senators worth while
 Their honor, trust and pay to earn

Senator Schoeder at other end
 Around the senate chamber's bend
 During this legislative term.

The daily roll call on the wall
 Administered by President C. P. Dahl
 The new mechanical device to learn
 The secretarys, stenographers and pages fair
 Clerks, sargent-at-arms to share
 The duties of this legislative term.

The session now about to close
 Making laws as we chose
 Whether or not we ever return
 We say to each other now good-bye
 With hearty affections on high
 As we close this legislative term.

E. B. LICHTY
 Senator, Legislative Dist. No. 22

Senator Flatt moved that the President appoint a committee of three to inform the Governor that the Senate has finished its work and is about to adjourn sine die, which motion prevailed.

The President appointed as such committee, Senators Flatt, Work and Kamrath.

Senator O'Brien moved that the President appoint a committee of three to inform the House of Representatives that the Senate has finished its business and is about to adjourn sine die, which motion prevailed.

The President appointed as such committee, Senators O'Brien, Reinke and Freed.

Senator Flatt announced that the committee appointed to inform the Governor that the Senate has finished its business and is about to adjourn sine die, had completed its work and asked that the committee be discharged, which request was granted.

Senator O'Brien announced that the committee appointed to notify the House of Representatives that the Senate has finished its business and is about to adjourn sine die, had completed its work and asked that the committee be discharged, which request was granted.

Senator Stucke moved that the Senate adjourn sine die, which motion prevailed.

And the Senate stood adjourned sine die, pursuant to the motion of Senator Stucke.

W. J. TROUT, Secretary.

**HEADQUARTERS
FIFTH ARMY DISASTER FORCES "SNOWBOUND"
206 South 19th Street
Omaha, Nebraska**

March 7, 1949

**Honorable Walter J. Trout
Secretary, North Dakota Senate
Capitol Building
Bismarck, North Dakota**

Dear Mr. Trout:

Please convey to the honorable members of the North Dakota State Senate the deep appreciation of all of us who participated in the snow relief operations, for the commendation contained in the resolution which you kindly sent to this office. General Pick is being advised in Washington.

It is gratifying to know that the Senate members feel that the relief work in your state is being carried forward in a satisfactory manner. You may feel assured that the work will continue until the job is completed to the satisfaction of authorities in your state. The successful prosecution of this unique relief undertaking was made possible by the wholehearted cooperation of all National, State and Local officials and the public and private agencies. It was made possible by the fortitude of some 5,000 workers deployed over the vast disaster area and their determination to get the job done with the utmost speed. All of us were inspired by the courage and patience shown by the storm victims themselves. In my opinion Operation Snowbound is another demonstration of the teamwork that makes America great.

Very truly yours,

**LOUIS W. PRENTISS
Colonel, Corps of Engineers
Chief of Staff**

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RECORD OF BILLS AND RESOLUTIONS IN THE SENATE

SENATE BILLS

Senate Bill No. 1—(Legislative Research Committee)

Senate Bill No. 1. A Bill for an Act to Provide for the Issuance, Sale and Delivery of General Obligation Bonds of the State of North Dakota in the Principal Amount Not Exceeding Twenty-seven Million Dollars for Payment of Adjusted Compensation to North Dakota Veterans of World War II; to Provide Tax Levies and Transfers of Moneys to Pay Such Bonds, Making Appropriations, and Declaring an Emergency.

Introduction, first reading and reference, 30.

Referred to Committee on Finance and Taxation.

Reported back, (amended) 219.

Amendments, 219.

Amendments adopted, 237.

Second reading, 255.

To House, 262.

Returned to Senate, (amended) 745.

House amendments, 746.

Conference Committee, 747, 775, 785, 791, 795.

Conference Committee Report, 775, 785, 791, 795; (amendments) 800; (adopted) 801.

Final passage, 801.

Enrolled, 804.

Signed by the President, 805.

Sent to the Governor, 807.

Senate Bill No. 2—(Legislative Research Committee)

Senate Bill No. 2. A Bill for an Act to Provide for Payment of Adjusted Compensation to North Dakota Veterans of World War II Who Served in the Armed Forces of the United States or Governments Allied with the United States Government in World War II Between January 1, 1941 and January 1, 1946 and to Beneficiaries of Such Persons; to Prescribe the Powers and Duties of State Officers With Respect Thereto; to Prescribe Penalties for Violations of the Provisions of This Act; Providing an Appropriation and Declaring an Emergency.

Introduction, first reading and reference, 31.

Referred to Committee on Veterans and Military Affairs.

Reported back, (amended) 130.

Amendments, 130.

Amendments adopted, 139.

Second reading, 152.

To House, 158.

Returned to Senate, (amended) 360.

House amendments, 360.

Senate concurred, 372.

Final passage, 372.

Enrolled, 376.
Signed by the President, 394.
Sent to the Governor, 487.
Approved by the Governor, 521.

Senate Bill No. 3—(Legislative Research Committee)

Senate Bill No. 3. A Bill for an Act to Amend and Re-enact Sections 61-0503 of the 1947 Supplement to the North Dakota Revised Code of 1943 and 61-0614 of the North Dakota Revised Code of 1943, Relating to Elections in Irrigation Districts.

Introduction, first reading and reference, 31.
Referred to Committee on Natural Resources.
Reported back, (do pass) 145.
Second reading, 163.
To House, 171.
Returned to Senate, 625.
Enrolled, 651.
Signed by the President, 665.
Sent to the Governor, 730.

Senate Bill No. 4—(Legislative Research Committee)

Senate Bill No. 4. A Bill for an Act to Amend and Re-enact Section 32-1723 of the North Dakota Revised Code of 1943, Relating to Judgments in Action for Waste.

Introduction, first reading and reference, 31.
Referred to Committee on Judiciary.
Reported back, (do pass) 69.
Second reading, 81.
To House, 103.
Returned to Senate, (indefinitely postponed) 550.

Senate Bill No. 5—(Legislative Research Committee)

Senate Bill No. 5. A Bill for an Act to Correct a Typographical Error Appearing in Subsection 8 of Section 11-1006 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 31.
Referred to Committee on Judiciary.
Reported back, (do pass) 69.
Title amended, 82.
Second reading, 82.
To House, 103.
Returned to Senate, 587.
Enrolled, 637.
Signed by the President, 643.
Sent to the Governor, 730.

Senate Bill No. 6—(Legislative Research Committee)

Senate Bill No. 6. A Bill for an Act Transferring Forty-two Thousand Two-hundred Eighty-five Dollars and Eighty four Cents From the Utility Valuation Fund to the General Fund.

Introduction, first reading and reference, 31.
Referred to Committee on General Affairs.
Reported back, (do pass) 77.
Second reading, 94.

To House, 117.
Returned to Senate, 587.
Enrolled, 637.
Signed by the President, 643.
Sent to the Governor, 730.

Senate Bill No. 7—(Legislative Research Committee)

Senate Bill No. 7. A Bill for an Act to Amend and Re-enact Section 48-0606 of the North Dakota Revised Code of 1943, Relating to the Board of Administration Postage Revolving Fund, Appropriating or Reappropriating to Said Fund Not to Exceed Thirty Thousand Dollars and Declaring an Emergency.

Introduction, first reading and reference, 31.
Referred to Committee on Appropriations.
Reported back, (do pass) 159.
Second reading, 178.
To House, 186.
Returned to Senate, 587.
Enrolled, 637.
Signed by the President, 643.
Sent to the Governor, 730.

Senate Bill No. 8—(Legislative Research Committee)

Senate Bill No. 8. A Bill for an Act to Amend and Re-enact Section 15-3402 of the North Dakota Revised Code of 1943, Relating to Compulsory School Attendance of Deaf, Mute, Blind or Feeble-minded Persons.

Introduction, first reading and reference, 31.
Referred to Committee on Education.
Reported back, (amended) 91.
Amendments, 91.
Amendments adopted, 107.
Second reading, 121.
To House, 138.
Returned to Senate, 587.
Enrolled, 637.
Signed by the President, 643.
Sent to the Governor, 730.

Senate Bill No. 9—(Legislative Research Committee)

Senate Bill No. 9. A Bill for an Act to Amend and Re-enact Section 25-0214 of the North Dakota Revised Code of 1943, Relating to the Expense for Care of Patients at the State Hospital and Declaring an Emergency.

Introduction, first reading and reference, 32.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 69.
Second reading, 82.
To House, 103.
Returned to Senate, 544.
Enrolled, 557.
Signed by the President, 586.
Sent to the Governor, 627.
Approved by the Governor, 691.

Senate Bill No. 10—(Legislative Research Committee)

Senate Bill No. 10. A Bill for an Act to Amend and Re-enact Sections 40-0112, 40-1606 and 54-1406 of the North Dakota Revised Code of 1943, Relating to Claims Against Municipalities and Prescribing Penalties.

Introduction, first reading and reference, 32.

Referred to Committee on Political Subdivisions.

Reported back, (do pass) 145.

Second reading, 163.

To House, 171.

Returned to Senate 544.

Enrolled, 557.

Signed by the President, 586.

Sent to the Governor, 627.

Approved by the Governor, 691.

Senate Bill No. 11—(Legislative Research Committee)

Senate Bill No. 11. A Bill for an Act to Amend and Re-enact Section 40-1706 of the North Dakota Revised Code of 1943, Relating to the Disbursement of City Funds and Permitting the Issuance of Payroll Checks by the City Treasurer Upon a Single Order From the Governing Board.

Introduction, first reading and reference, 32.

Referred to Committee on Political Subdivisions.

Reported back, (do pass), 145.

Second reading, 164.

To House, 171.

Returned to Senate, 544.

Enrolled, 557.

Signed by the President, 586.

Sent to the Governor, 627.

Approved by the Governor, 691.

Senate Bill No. 12—(Legislative Research Committee)

Senate Bill No. 12. A Bill for an Act to Amend and Re-enact Section 40-2002 of the North Dakota Revised Code of 1943, Relating to Assistant City Attorneys.

Introduction, first reading and reference, 32.

Referred to Committee on Political Subdivisions.

Reported back, (amended) 145.

Amendments, 145.

Amendment adopted, 161.

Second reading, 179.

To House, 186.

Returned to Senate, 544.

Enrolled, 557.

Signed by the President, 586.

Sent to the Governor, 627.

Approved by the Governor, 691.

Senate Bill No. 13—(Legislative Research Committee)

Senate Bill No. 13. A Bill for an Act to Amend and Re-enact Section 40-2103 of the North Dakota Revised Code of 1943, Relating to Elections in Council Cities.

Introduction, first reading and reference, 32.

Referred to Committee on Political Subdivisions.

Reported back, (do pass) 145.

Second reading, 164.
 To House, 171.
 Returned to Senate 544.
 Enrolled, 557.
 Signed by the President, 586.
 Sent to the Governor, 627.
 Approved by the Governor, 691.

Senate Bill No. 14—(Legislative Research Committee)

Senate Bill No. 14. A Bill for an Act to Amend and Re-enact Section 40-2105 of the North Dakota Revised Code of 1943, Relating to Compensation of Inspectors, Judges and Clerks at Municipal Elections.

Introduction, first reading and reference, 32.
 Referred to Committee on General Affairs.
 Reported back, (do pass) 77.
 Second reading, 94.
 To House, 117.
 Returned to Senate, 550.
 Enrolled, 578.
 Signed by the President, 586.
 Sent to the Governor, 627.
 Approved by the Governor, 691.

Senate Bill No. 15—(Legislative Research Committee)

Senate Bill No. 15. A Bill for an Act to Amend and Re-enact Sections 40-3801 and 40-3802 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Public Libraries and Reading Rooms.

Introduction, first reading and reference, 32.
 Referred to Committee on State and Federal Government.
 Reported back, (do pass) 69.
 Second reading, 83.
 To House, 103.
 Returned to Senate, (indefinitely postponed) 649.

Senate Bill No. 16—(Legislative Research Committee)

Senate Bill No. 16. A Bill for an Act to Amend and Re-enact Section 40-3904 of the North Dakota Revised Code of 1943, Relating to Vacating of Streets and Alleys in Municipalities.

Introduction, first reading and reference, 33.
 Referred to Committee on Political Subdivisions.
 Reported back, (do pass) 145.
 Second reading, 165.
 To House, 171.
 Returned to Senate, 544.
 Enrolled, 557.
 Signed by the President, 586.
 Sent to the Governor, 627.
 Approved by the Governor, 691.

Senate Bill No. 17—(Legislative Research Committee)

Senate Bill No. 17. A Bill for an Act to Provide for Combining Employees Pension Systems and Firemen's Relief Association Pension Funds in Certain Cities, Providing for

a Board of Trustees Therefor, Authorizing the Placing of Certain Monies in Such Fund, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 33.
 Referred to Committee on General Affairs.
 Reported back, (indefinitely postponed) 138.

Senate Bill No. 18—(Legislative Research Committee)

Senate Bill No. 18. A Bill for an Act to Provide for Combining Employees Pension Systems and Police Pension Systems in Certain Cities, Providing for a Board of Trustees Therefor, Authorizing Taxes To Be Levied for Such Fund, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading and reference, 33.
 Referred to Committee on Political Subdivisions.
 Reported back, (do pass) 145.
 Re-referred to Committee on Political Subdivisions, 146.
 Reported back, (indefinitely postponed) 160.

Senate Bill No. 19—Legislative Research Committee)

Senate Bill No. 19. A Bill for an Act Providing for Civil Service Systems in Park Districts Within Certain Cities.

Introduction, first reading and reference, 33.
 Referred to Committee on Political Subdivisions.
 Reported back, (do pass) 146.
 Second reading, 165.
 To House, 171.
 Returned to Senate, 544.
 Enrolled, 557.
 Signed by the President, 586.
 Sent to the Governor, 627.
 Approved by the Governor, 691.

Senate Bill No. 20—(Legislative Research Committee)

Senate Bill No. 20. A Bill for an Act Providing for Employees Pension in Certain Park Districts, Providing for a Tax to be Levied for the Same.

Introduction, first reading and reference, 33.
 Referred to Committee on Political Subdivisions.
 Reported back, (amended) 146.
 Amendments, 146.
 Amendments adopted, 161.
 Second reading, 179.
 To House, 186.
 Returned to Senate, 544.
 Enrolled, 557.
 Signed by the President, 586.
 Sent to the Governor, 627.
 Approved by the Governor, 691.

Senate Bill No. 21—(Legislative Research Committee)

Senate Bill No. 21. A Bill for an Act to Provide for the Collection of Service Charges Made by Municipal Utilities.

Introduction, first reading and reference, 33.
 Referred to Committee on Political Subdivisions.
 Reported back, (indefinitely postponed) 146.

Senate Bill No. 22—(Legislative Research Committee)

Senate Bill No. 22. A Bill for an Act to Provide for the Assessment of Costs of Work Done by Municipalities Necessary for the General Welfare.

Introduction, first reading and reference, 33.

Referred to Committee on Political Subdivisions.

Reported back, (do pass) 146.

Second reading, 165.

To House, 171.

Returned to Senate, 544.

Enrolled, 557.

Signed by the President, 586.

Sent to the Governor, 628.

Approved by the Governor, 691.

Senate Bill No. 23—(Legislative Research Committee)

Senate Bill No. 23. A Bill for an Act to Amend and Re-enact Subsection 8 of Section 40-0501 of the North Dakota Revised Code of 1943, Relating to Powers of Municipalities.

Introduction, first reading and reference, 34.

Referred to Committee on Political Subdivisions.

Reported back, (do pass) 146.

Second reading, 166.

To House, 171.

Returned to Senate, 544.

Enrolled, 557.

Signed by the President, 586.

Sent to the Governor, 628.

Approved by the Governor, 691.

Senate Bill No. 24—(Legislative Research Committee)

Senate Bill No. 24. A Bill for an Act to Provide for the Returning to Political Subdivisions Payments To Be Computed on a Per Capita Basis.

Introduction, first reading and reference, 34.

Referred to Committee on State and Federal Government.

Reported back, (amended) 331.

Amendments, 331.

Amendments adopted, 360.

Indefinitely postponed, 440.

Senate Bill No. 25—(Legislative Research Committee)

Senate Bill No. 25. A Bill for an Act to Amend and Re-enact Section 38-0901 of the North Dakota Revised Code of 1943, Relating to Oil, Gas and Mineral Rights Reserved on Transfer of State Lands.

Introduction, first reading and reference, 34.

Referred to Committee on State and Federal Government.

Reported back, (indefinitely postponed) 193.

Senate Bill No. 26—(Legislative Research Committee)

Senate Bill No. 26. A Bill for an Act to Amend and Re-enact Section 15-4801 of the North Dakota Revised Code of 1943, Relating to Calling Elections to Increase School District Debt Limits.

Introduction, first reading and reference, 34.

Referred to Committee on Education.

Reported back, (do pass) 91.
Second reading, 107.
To House, 127.
Returned to Senate, 587.
Enrolled, 637.
Signed by the President, 643.
Sent to the Governor, 730.

Senate Bill No. 27—(Legislative Research Committee)

Senate Bill No. 27. A Bill for an Act to Amend and Re-enact Section 40-2410 of the North Dakota Revised Code of 1943, Relating to Payment of Part of Cost of Improvement by Municipalities Through General Taxation.

Introduction, first reading and reference, 34.
Referred to Committee on Political Subdivisions.
Reported back, (do pass) 146.
Second reading, 166.
To House, 171.
Returned to Senate, (amended) 510, 551.
House amendments, 510.
House requests return, 528.
Returned to House, 529.
Senate concurred, 568.
Enrolled, 578.
Signed by the President, 586.
Sent to the Governor, 628.
Approved by the Governor, 691.

Senate Bill No. 28—(Legislative Research Committee)

Senate Bill No. 28. A Bill for an Act Relating to Prevention of Congenital Syphilis; Providing for the Taking of a Sample of Blood of Pregnant Women for Submission to an Approved Laboratory for a Standard Serological Test for Syphilis; Defining Approved Laboratory and Standard Serological Test; Defining Duties of All Physicians and Non-licensed Practitioners in Attendance of Such Women; Requiring Report and Certificate of Every Birth and Still-birth by Physician or Others, Providing Penalties for Violation and Making an Appropriation for the State Department of Health to Enable it to Comply With the Provisions Hereof.

Introduction, first reading and reference, 34.
Referred to Committee on Social Welfare.
Re-referred to Committee on Appropriations, 105.
Reported back, (amended) 105; (do pass) 193.
Amendments, 105.
Amendments adopted, 119.
Second reading, 214.
To House, 218.
Returned to Senate, 753.
Enrolled, 778.
Signed by the President, 796.
Sent to the Governor, 807.

Senate Bill No. 29—(Legislative Research Committee)

Senate Bill No. 29. A Bill for an Act Relating to the Protection of the Public Health; Providing for the Grading

and Labeling of Milk and Milk Products; Defining Terms and Providing for Remedies and Penalties.

Introduction, first reading and reference, 35.

Referred to Committee on Social Welfare.

Re-referred to Committee on Agriculture, 106.

Reported back, 105; (indefinitely postponed) 147.

Senate Bill No. 30—(Legislative Research Committee)

Senate Bill No. 30. A Bill for an Act Governing the Production, Processing, Labeling and Sale of Milk, Cream and Liquid Milk Products; Defining Milk, Cream, Liquid Milk Products, Skim Milk, Pasteurization and Pasteurized; Regulating the Pasteurization, Sale, Possession, Advertising, Labeling, and Dealing in Milk, Cream, Liquid Milk Products and Skim Milk; Establishing Grades of Milk and Providing a Penalty for the Violation of This Act.

Introduction, first reading and reference, 35.

Referred to Committee on Agriculture.

Reported back, (do pass) 147.

Second reading, 167.

To House, 171.

Returned to Senate, (indefinitely postponed) 587; 626.

House requests return, 598.

Returned to House, 609.

Enrolled, 706.

Signed by the President, 711.

Sent to the Governor, 719.

Senate Bill No. 31—(Legislative Research Committee)

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Sections 16-1315, 16-1320, 16-1322, 16-1324, 16-1330, 16-1336 and 16-1337 of the North Dakota Revised Code of 1943, Relating to Canvassing Returns of Elections.

Introduction, first reading and reference, 35.

Referred to Committee on Judiciary.

Reported back, (amended) 147.

Amendments, 147.

Amendments adopted, 161.

Second reading, 180.

To House, 186.

Returned to Senate, 587.

Enrolled, 637.

Signed by the President, 643.

Sent to the Governor, 730.

Senate Bill No. 32—(Legislative Research Committee)

Senate Bill No. 32. A Bill for an Act to Prohibit Domestic Insurers From Doing Certain Insurance Business in States Outside of North Dakota, Unless Authorized in Such Other States.

Introduction, first reading and reference, 35.

Referred to Committee on Industry and Business.

Reported back, (do pass) 91.

Second reading, 108.

To House, 127.

Returned to Senate, 803.

Enrolled, 804.

Signed by the President, 805.

Sent to the Governor, 807.

Senate Bill No. 33—(Legislative Research Committee)

Senate Bill No. 33. A Bill for an Act to Amend and Re-enact Section 26-2422 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Procuring and Keeping in Force Reinsurance of all Extraordinary Industrial Risks of the State of North Dakota and its Political Subdivisions and Declaring an Emergency.

Introduction, first reading and reference, 35.
 Referred to Committee on Industry and Business.
 Reported back, (do pass) 160.
 Second reading, 180.
 Laid over, 180.
 Final passage, 196.
 To House, 208.
 Returned to Senate, (indefinitely postponed) 550.

Senate Bill No. 34—(Legislative Research Committee)

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 18-0101 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to the Fire Marshal Department.

Introduction, first reading and reference, 35.
 Referred to Committee on Industry and Business.
 Reported back, (do pass) 91.
 Second reading, 108.
 To House, 127.
 Returned to Senate, (indefinitely postponed) 550.

Senate Bill No. 35—(Legislative Research Committee)

Senate Bill No. 35. A Bill for an Act to Amend and Re-enact Section 35-1301 of the North Dakota Revised Code of 1943, Relating to Repairman's Liens.

Introduction, first reading and reference, 35.
 Referred to Committee on Judiciary.
 Reported back, (do pass) 69.
 Second reading, 84.
 To House, 104.
 Returned to Senate, 587.
 Enrolled, 627.
 Signed by the President, 643.
 Sent to the Governor, 730.

Senate Bill No. 36—(Legislative Research Committee)

Senate Bill No. 36. A Bill for an Act to Amend and Re-enact Section 2-0507 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to the State Airways System.

Introduction, first reading and reference, 36.
 Referred to Committee on General Affairs.
 Reported back, (do pass) 138.
 Second reading, 153.
 To House, 158.
 Returned to Senate, (amended) 589.
 House amendments, 589.
 Senate concurred, 606.
 Final passage, 606.
 Enrolled, 637.
 Signed by the President, 643.
 Sent to the Governor, 730.

Senate Bill No. 37—(Legislative Research Committee)

Senate Bill No. 37. A Bill for an Act to Amend and Reenact Sections 36-1501, 36-1502, 36-1508, 36-1509, 36-1511, 36-1512 and 36-1513 of the North Dakota Revised Code of 1943, Relating to Bovine Tuberculosis and Bang's Disease.

Introduction, first reading and reference, 36.

Referred to Committee on Agriculture.

Reported back, (do pass) 77.

Indefinitely postponed, 95.

Senate Bill No. 38—(Legislative Research Committee)

Senate Bill No. 38. A Bill for an Act to Amend and Reenact Section 36-0119 of the North Dakota Revised Code of 1943, Relating to Emergency Livestock Epidemic Fund and Making an Appropriation Therefor.

Introduction, first reading and reference, 36.

Referred to Committee on Agriculture.

Re-referred to Committee on Appropriations, 76.

Reported back, (do pass) 78, (indefinitely postponed) 376.

Senate Bill No. 39—(Legislative Research Committee)

Senate Bill No. 39. A Bill for an Act to Amend and Reenact Sections 20-0105, 20-0106 and Subsection 4 of 20-0503 of the North Dakota Revised Code of 1943, Making it Legal to Shine for Raccoon.

Introduction, first reading and reference, 36.

Referred to Committee on Natural Resources.

Reported back, (amended) 78.

Amendments, 78.

Amendments adopted, 93.

Amended on floor, 109.

Second reading, 109.

To House, 127.

Returned to Senate, (indefinitely postponed) 587; (amended) 693.

Returned to House, 634.

House amendments, 693.

Senate concurred, 697.

Final passage, 697.

Enrolled, 722.

Signed by the President, 732.

Sent to the Governor, 754.

Senate Bill No. 40—(Legislative Research Committee)

Senate Bill No. 40. A Bill for an Act to Amend and Reenact Section 20-0601 of the North Dakota Revised Code of 1943, Making It Legal to Keep in Possession Fish, With the Exception of Pike, Which Were Taken With Hook and Line Regardless of Seasonal Limitations and Declaring an Emergency.

Introduction, first reading and reference, 36.

Referred to Committee on Natural Resources.

Reported back, (indefinitely postponed) 106.

Senate Bill No. 41—(Legislative Research Committee)

Senate Bill No. 41. A Bill for an Act to Amend and Reenact Section 20-0314 of the North Dakota Revised Code of

1943, Relating to Fees for Commercial Fishing Licenses, and Declaring an Emergency.

Introduction, first reading and reference, 36.
 Referred to Committee on Natural Resources.
 Reported back, (do pass) 78.
 Second reading, 95.
 Returned to Senate, (amended) 543.
 House amendments, 543.
 Senate concurred, 547.
 Final passage, 547.
 Enrolled, 557.
 Signed by the President, 586.
 Sent to the Governor, 628.
 Approved by the Governor, 691.

Senate Bill No. 42—(Legislative Research Committee)

Senate Bill No. 42. A Bill for an Act Creating Sub-section 9 of Section 20-0205 of the North Dakota Revised Code of 1943, Relating to the Powers of the State Game and Fish Commissioner and Authorizing the Removal and Disposition of Surplus Game, Fish, Fur-bearing Animals, or Birds From Game Refuges and Farms.

Introduction, first reading and reference, 36.
 Referred to Committee on Natural Resources.
 Reported back, (indefinitely postponed) 106.

Senate Bill No. 43—(Legislative Research Committee)

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Sections 20-0501, 20-0502, 20-0801, 20-0802 and 20-0803 of the North Dakota Revised Code of 1943 and Section 20-0703 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Open Seasons on Game Birds, Fish, and Game Animals and the Variation of Such Open Seasons by Order or Proclamation by the Governor.

Introduction, first reading and reference, 37.
 Referred to Committee on Natural Resources.
 Reported back, (do pass) 78.
 Amended on floor, 96.
 Second reading, 97.
 To House, 118.
 Returned to Senate, (amended) 668.
 House amendments, 668.
 Senate concurred, 678.
 Final passage, 679.
 Enrolled, 706.
 Signed by the President, 732.
 Sent to the Governor, 754.

Senate Bill No. 44—(Legislative Research Committee)

Senate Bill No. 44. A Bill for an Act to Amend and Re-enact Sections 20-0301 and 20-0306 of the North Dakota Revised Code of 1943, Relating to Requirements for Licenses to Hunt, Trap, or Fish and Declaring an Emergency.

Introduction, first reading and reference, 37.
 Referred to Committee on Natural Resources.
 Reported back, (do pass) 148.
 Second reading, 168.

To House, 171.
Returned to Senate, 587.
Enrolled, 651.
Signed by the President, 665.
Sent to the Governor, 730.

Senate Bill No. 45—(Legislative Research Committee)

Senate Bill No. 45. A Bill for an Act Providing for the Manner in Which Guns May Be Transported by Vehicle and Providing a Penalty.

Introduction, first reading and reference, 37.
Referred to Committee on Natural Resources.
Reported back, (amended) 148.
Amendments, 148.
Amendments adopted, 161.
Second reading, 180.
Other action, 180.
To House, 186.
Returned to Senate, (indefinitely postponed) 550.

Senate Bill No. 46—(Legislative Research Committee)

Senate Bill No. 46. A Bill for an Act Making an Emergency Appropriation for State Matching of Federal Funds Which Have Been Made Available by the Department of the Interior, Fish and Wildlife Service, Known as the Federal Aid Funds and for Which Matching Funds Are Not Now Available and Declaring an Emergency.

Introduction, first reading and reference, 37.
Referred to Committee on Appropriations.
Reported back, (do pass) 396.
Second reading, 420.
To House, 431.
Returned to Senate, 743.
Enrolled, 760.
Signed by the President, 796.
Sent to the Governor, 807.

Senate Bill No. 47—(Legislative Research Committee)

Senate Bill No. 47. A Bill for an Act to Amend and Re-enact Section 20-0217 of the North Dakota Revised Code of 1943, Relating to the Police Powers of the Game and Fish Commissioner, Deputy Commissioner and Bonded Appointees of the Commissioner.

Introduction, first reading and reference, 37.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 69.
Second reading, 84.
To House, 104.
Returned to Senate, 550.
Enrolled, 578.
Signed by the President, 586.
Sent to the Governor, 628.
Approved by the Governor, 691.

Senate Bill No. 48—(Legislative Research Committee)

Senate Bill No. 48. A Bill for an Act to Provide for Leave of Absence Due to Illness for Teachers in the Public

Schools and State Institutions; Determining Compensation, and Defining Terms.

Introduction, first reading and reference, 37.
Referred to Committee on Education.
Reported back, (indefinitely postponed) 92.

Senate Bill No. 49—(Legislative Research Committee)

Senate Bill No. 49. A Bill for an Act Relating to Salaries of County Superintendents of Schools; Providing for Increases of Salary Effective January 1, 1949; Repealing All Acts or Parts of Acts in Conflict and Declaring an Emergency.

Introduction, first reading and reference, 38.
Referred to Committee on General Affairs.
Reported back, (do pass) 138.
Second reading, 153.
To House, 158.
Returned to Senate, (indefinitely postponed) 693.

Senate Bill No. 50—(Legislative Research Committee)

Senate Bill No. 50. A Bill for an Act to Amend and Re-enact Sections 15-2401, 15-2403, 15-2409 and 15-2501 of the North Dakota Revised Code of 1943 and Subsection 5 of Section 15-5314 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Directors in Common School Districts; Providing Means for Increasing the Number of Directors in Certain Districts, and Providing for Rural Representation.

Introduction, first reading and reference, 38.
Referred to Committee on Education.
Reported back, (do pass) 91.
Second reading, 110.
To House, 127.
Returned to Senate, (amended) 646.
House amendments, 646.
Senate concurred, 678.
Final passage, 678.
Enrolled, 706.
Signed by the President, 732.
Sent to the Governor, 754.

Senate Bill No. 51—(Committee on Appropriations)

Senate Bill No. 51. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Board of School District Reorganization.

Introduction, first reading and reference, 38.
Referred to Committee on Appropriations.
Reported back, (do pass) 193.
Second reading, 214.
To House, 218.
Returned to Senate, (amended) 749.
House amendments, 749.
Senate concurred, 755.
Final Passage, 755.
Enrolled, 778.
Signed by the President, 796.
Sent to the Governor, 807.

Senate Bill No. 52—(Committee on Appropriations)

Senate Bill No. 52. 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.

Introduction, first reading and reference, 38.
 Referred to Committee on Appropriations.
 Reported back, (amended) 348.
 Amendments, 348.
 Amendments adopted, 400.
 Second reading, 423.
 To House, 432.
 Returned to Senate, (amended) 749.
 House amendments, 749.
 Conference Committee, 756.
 Conference Committee Report, (amended) 791; (amendments) 792; (adopted) 792.
 Final passage, 792.
 Enrolled, 804.
 Signed by the President, 805.
 Sent to the Governor, 807.

Senate Bill No. 53—(Committee on Appropriations)

Senate Bill No. 53. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board for Its Operating and Maintenance Expense, and for Indemnifying Owners of Animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Introduction, first reading and reference, 38.
 Referred to Committee on Appropriations.
 Reported back, (amended) 131.
 Amendments, 131.
 Amendments adopted, 139.
 Second reading, 154.
 To House, 158.
 Returned to Senate, 573.
 Enrolled, 598.
 Signed by the President, 622.
 Sent to the Governor, 730.

Senate Bill No. 54—(Committee on Appropriations)

Senate Bill No. 54. A Bill for an Act Making an Appropriation to the State Historical Society for Salary, Clerkhire and Miscellaneous Expenses and Maintenance of State Parks.

Introduction, first reading and reference, 38.
 Referred to Committee on Appropriations.
 Reported back, (do pass) 209.
 Second reading, 223.
 To House, 237.
 Returned to Senate, 573.
 Enrolled, 598.
 Signed by the President, 622.
 Sent to the Governor, 730.

Senate Bill No. 55—(Committee on Appropriations)

Senate Bill No. 55. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

Introduction, first reading and reference, 38.

Referred to Committee on Appropriations.

Reported back, (amended) 413.

Amendments, 413.

Amendments adopted, 433.

Amended on floor, 453.

Second reading, 453.

To House, 485.

Returned to Senate, 753.

Enrolled, 760.

Signed by the President, 796.

Sent to the Governor, 807.

Senate Bill No. 56—(Committee on Appropriations)

Senate Bill No. 56. 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.

Introduction, first reading and reference, 39.

Referred to Committee on Appropriations.

Reported back, (amended) 351.

Amendments, 351.

Amendments adopted, 382.

Second reading, 401.

To House, 415.

Returned to Senate, (amended) 750.

House amendments, 750.

Senate concurred, 756.

Final passage, 756.

Enrolled, 778.

Signed by the President, 796.

Sent to the Governor, 807.

Senate Bill No. 57—(Committee on Appropriations)

Senate Bill No. 57. 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.

Introduction, first reading and reference, 39.

Referred to Committee on Appropriations.

Reported back, (do pass) 220.

Second reading, 238.

To House, 254.

Returned to Senate, 587.

Enrolled, 627.

Signed by the President, 643.

Sent to the Governor, 730.

Senate Bill No. 58—(Committee on Appropriations)

Senate Bill No. 58. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veteri-

nary Medical Examiners as Authorized Under Chapter 36-02 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 39.
 Referred to Committee on Appropriations.
 Reported back, (do pass) 106.
 Second reading, 121.
 To House, 138.
 Returned to Senate, 587.
 Enrolled, 627.
 Signed by the President, 643.
 Sent to the Governor, 730.

Senate Bill No. 59—(Committee on Appropriations)

Senate Bill No. 59. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Introduction, first reading and reference, 39.
 Referred to Committee on Appropriations.
 Reported back, (do pass) 78.
 Second reading, 97.
 To House, 118.
 Returned to Senate, 588.
 Enrolled, 627.
 Signed by the President, 643.
 Sent to the Governor, 730.

Senate Bill No. 60—(Committee on Appropriations)

Senate Bill No. 60. 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.

Introduction, first reading and reference, 39.
 Referred to Committee on Appropriations.
 Reported back, (amended) 78.
 Amendments, 79.
 Amendments adopted, 93.
 Amended on floor, 111.
 Second reading, 111.
 To House, 127.
 Returned to Senate, (amended) 335.
 House amendments, 335.
 Senate concurred, 343.
 Final passage, 343.
 Enrolled, 347.
 Signed by the President, 373.
 Sent to the Governor, 396.
 Approved by the Governor, 446.

Senate Bill No. 61—(Committee on Appropriations)

Senate Bill No. 61. A Bill for an Act Making an Appropriation for the Administrative Expenses of the Veterans' Aid Commission.

Introduction, first reading and reference, 39.
 Referred to Committee on Appropriations.
 Reported back, (do pass) 79.
 Second reading, 97.
 To House, 118.

Returned to Senate, 290.
 Enrolled, 305.
 Signed by the President, 307.
 Sent to the Governor.
 Approved by the Governor, 331.

Senate Bill No. 62—(Committee on Appropriations)

Senate Bill No. 62. A Bill for an Act Making an Appropriation for the Care of Feeble-minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Introduction, first reading and reference, 39.
 Referred to Committee on Appropriations.
 Reported back, (do pass) 79.
 Second reading, 98.
 To House, 118.
 Returned to Senate, 625.
 Enrolled, 651.
 Signed by the President, 665.
 Sent to the Governor, 730.

Senate Bill No. 63—(Committee on Appropriations)

Senate Bill No. 63. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Introduction, first reading and reference, 39.
 Referred to Committee on Appropriations.
 Reported back, (do pass) 79.
 Second reading, 98.
 To House, 118.
 Returned to Senate, 625.
 Enrolled, 668.
 Signed by the President, 688.
 Sent to the Governor, 730.

Senate Bill No. 64—(Committee on Appropriations)

Senate Bill No. 64. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Introduction, first reading and reference, 40.
 Referred to Committee on Appropriations.
 Reported back, (amended) 79.
 Amendments, 79.
 Amendments adopted, 93.
 Second reading, 111.
 To House, 127.
 Returned to Senate (amended) 574.
 House amendments, 574.
 Senate concurred, 579.
 Final passage, 580.
 Enrolled, 598.
 Signed by the President, 622.
 Sent to the Governor, 730.

Senate Bill No. 65—(Committee on Appropriations)

Senate Bill No. 65. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the

Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; and Declaring an Emergency.

Introduction, first reading and reference, 40.

Referred to Committee on Appropriations.

Reported back, (do pass) 79.

Second reading, 99.

To House, 118.

Returned to Senate, (amended) 589.

House amendments, 589.

Senate concurred, 607.

Final passage, 607.

Enrolled, 637.

Signed by the President, 643.

Sent to the Governor, 730.

Senate Bill No. 66—(Committee on Appropriations)

Senate Bill No. 66. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives From Justice.

Introduction, first reading and reference, 40.

Referred to Committee on Appropriations.

Reported back, (do pass) 80.

Second reading, 99.

To House, 118.

Returned to Senate, 625.

Enrolled, 668.

Signed by the President, 688.

Sent to the Governor, 730.

Senate Bill No. 67—(Committee on Appropriations)

Senate Bill No. 67. 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.

Introduction, first reading and reference, 40.

Referred to Committee on Appropriations.

Reported back, (do pass) 80.

Second reading, 100.

To House, 118.

Returned to Senate, 588.

Enrolled, 637.

Signed by the President, 643.

Sent to the Governor, 730.

Senate Bill No. 68—(Committee on Appropriations)

Senate Bill No. 68. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Action to Release Insane and List of New Taxable Lands.

Introduction, first reading and reference, 40.

Referred to Committee on Appropriations.

Reported back, (do pass) 80.

Second reading, 101.

To House, 118.

Returned to Senate, 625.

Enrolled, 668.

Signed by the President, 688.

Sent to the Governor, 730.

Senate Bill No. 69—(Committee on Appropriations)

Senate Bill No. 69. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Introduction, first reading and reference, 40.

Referred to Committee on Appropriations.

Reported back, (do pass) 352.

Second reading, 385.

To House, 399.

Returned to Senate (amended) 750.

House amendments, 750.

Senate concurred, 756.

Final passage, 756.

Enrolled, 778.

Signed by the President, 796.

Sent to the Governor, 807.

Senate Bill No. 70—(Committee on Appropriations)

Senate Bill No. 70. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee and the Activities of the State Soil Conservation Districts.

Introduction, first reading and reference, 40.

Referred to Committee on Appropriations.

Reported back, (do pass) 131.

Second reading, 139.

To House, 143.

Returned to Senate, 625.

Enrolled, 669.

Signed by the President, 688.

Sent to the Governor, 730.

Senate Bill No. 71—(Committee on Appropriations)

Senate Bill No. 71. 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, Expenses of State Compacts and for the Preparation of Water Conservation and Irrigation Projects for Post-war Construction and Development.

Introduction, first reading and reference, 40.

Referred to Committee on Appropriations.

Reported back, (amended) 233.

Amendments, 233.

Amendments adopted, 253.

Second reading, 274.

To House, 289.

Returned to Senate, 447.

Enrolled, 479.

Signed by the President, 508.

Sent to the Governor, 579.

Approved by the Governor, 597.

Senate Bill No. 72—(Committee on Appropriations)

Senate Bill No. 72. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Introduction, first reading and reference, 41.

Referred to Committee on Appropriations.

Reported back, (do pass) 106.
Second reading, 122.
To House, 138.
Returned to Senate, 625.
Enrolled, 669.
Signed by the President, 688.
Sent to the Governor, 730.

Senate Bill No. 73—(Committee on Appropriations)

Senate Bill No. 73. 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.

Introduction, first reading and reference, 41.
Referred to Committee on Appropriations.
Reported back, (amended) 233.
Amendments, 233.
Amendments adopted, 253.
Second reading, 275.
To House, 289.
Returned to Senate, 588.
Enrolled, 627.
Signed by the President, 643.
Sent to the Governor, 730.

Senate Bill No. 74—(Committee on Appropriations)

Senate Bill No. 74. A Bill for an Act Making an Appropriation for the Disbursement by the Public Welfare Board in Providing Public Assistance to Dependent Children and to Needy Blind and Providing Child Welfare Services and Services to Crippled Children, also for Providing Assistance to the Needy Aged and General Assistance for Relief to Destitute and Necessitous Persons, and for the Necessary Costs of Administration of All of the Programs Above Mentioned.

Introduction, first reading and reference, 41.
Referred to Committee on Appropriations.
Reported back, (amended) 376.
Amendments, 376.
Amendments adopted, 400.
Second reading, 423.
To House, 432.
Returned to Senate, 753.
Enrolled, 760.
Signed by the President, 796.
Sent to the Governor, 807.

Senate Bill No. 75—(Committee on Appropriations)

Senate Bill No. 75. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and Its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds From Which Paid; Providing for the Payment of Said Collection Into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Introduction, first reading and reference, 41.
Referred to Committee on Appropriations.

Reported back, (amended) 209.
Amendments, 209.
Amendments adopted, 222.
Second reading, 239.
To House, 254.
Returned to Senate, 753.
Enrolled, 764.
Signed by the President, 796.
Sent to the Governor, 807.

Senate Bill No. 76—(Committee on Appropriations)

Senate Bill No. 76. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Introduction, first reading and reference, 41.
Referred to Committee on Appropriations.
Reported back, (do pass) 250.
Second reading, 274.
To House, 289.
Returned to Senate, (amended) 750.
House amendments, 750.
Senate concurred, 757.
Final passage, 757.
Enrolled, 778.
Signed by the President, 796.
Sent to the Governor, 807.

Senate Bill No. 77—(Committee on Appropriations)

Senate Bill No. 77. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in Postage, Supplies, Printing, Furniture and Fixtures and License Plates of the Registrar of Motor Vehicles; and Declaring an Emergency.

Introduction, first reading and reference, 41.
Referred to Committee on Appropriations.
Reported back, (do pass) 250.
Second reading, 276.
To House, 289.
Returned to Senate, 625.
Enrolled, 669.
Signed by the President, 688.
Sent to the Governor, 730.

Senate Bill No. 78—(Committee on Appropriations)

Senate Bill No. 78. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Introduction, first reading and reference, 41.
Referred to Committee on Appropriations.
Reported back, (do pass) 250.
Second reading, 276.
To House, 289.
Returned to Senate, (amended) 751.
House amendments, 751.
Conference Committee, 768.

Conference Committee Report, (amended) 772; (adopted) 772.

Final passage, 772.

Enrolled, 804.

Signed by the President, 805.

Sent to the Governor, 807.

Senate Bill No. 79—(Committee on Appropriations)

Senate Bill No. 79. A Bill for an Act Making an Appropriation Out of the Highway Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Highway Patrol Branch.

Introduction, first reading and reference, 42.

Referred to Committee on Appropriations.

Reported back, (do pass) 250.

Second reading, 277.

To House, 289.

Returned to Senate, 753.

Enrolled, 764.

Signed by the President, 796.

Sent to the Governor, 807.

Senate Bill No. 80—(Committee on Appropriations)

Senate Bill No. 80. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries and Miscellaneous Expenses of the Workmen's Compensation Bureau.

Introduction, first reading and reference, 42.

Referred to Committee on Appropriations.

Reported back, (amended) 352.

Amendments, 352.

Amendments adopted, 382.

Second reading, 402.

To House, 415.

Returned to Senate, (amended) 751.

House amendments, 751.

Senate concurred, 758.

Final passage, 758.

Enrolled, 778.

Signed by the President, 796.

Sent to the Governor, 807.

Senate Bill No. 81—(Committee on Appropriations)

Senate Bill No. 81. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Introduction, first reading and reference, 42.

Referred to Committee on Appropriations.

Reported back, (amended) 396.

Amendments, 396.

Amendments adopted, 414.

Second reading, 438.

To House, 453.

Returned to Senate, (amended) 751.

House amendments, 751.

Conference Committee, 758.

Conference Committee Report, 767; (adopted) 767.
 Final passage, 767.
 Enrolled, 778.
 Signed by the President, 796.
 Sent to the Governor, 807.

Senate Bill No. 82—(Committee on Appropriations)

Senate Bill No. 82. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the Teachers' Insurance and Retirement Fund.

Introduction, first reading and reference, 42.
 Referred to Committee on Appropriations.
 Reported back, (do pass) 106.
 Second reading, 122.
 To House, 138.
 Returned to Senate, 753.
 Enrolled, 764.
 Signed by the President, 796.
 Sent to the Governor, 807.

Senate Bill No. 83—(Senators Reinke, Sandness, Leno, Tuff, Olson of Barnes and Olson of Mountrail)

Senate Bill No. 83. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 72 of the Session Laws of 1945, Numbered in the 1947 Supplement as Section 54-0320, Providing for Allowance to Members of the Legislative Assembly, Making an Appropriation; and Declaring an Emergency.

Introduction, first reading and reference, 42.
 Referred to Committee on Appropriations.
 Reported back, (do pass) 92.
 Second reading, 112.
 To House, 127.
 Returned to Senate, 187.
 Enrolled, 207.
 Signed by the President, 207.
 Sent to the Governor, 219.
 Approved by Governor, 281.

Senate Bill No. 84—(Senators Morgan, Braun, Flatt and Bridston)

Senate Bill No. 84. A Bill for an Act to Provide for a Survey by Research Foundation to Determine Feasibility of Establishing State-owned Cement Plant, and Providing Appropriation for Such Survey; Authorizing Industrial Commission to Establish a State-owned Cement Plant if Deemed Feasible; Providing that Said State-owned Cement Plant Be Designated as "The State of North Dakota, Doing Business as the North Dakota State Cement Plant"; Granting Power and Authority to the Industrial Commission to Manage and Operate Said Plant, Acquire Property Therefor by Purchase, Lease or Eminent Domain, and Do All Other Acts Necessary in the Management Thereof; Providing for Maintenance of Civil Actions by or Against the State in Connection With Said State-owned Cement Plant; Providing for Annual Audits of the Operations of Said Plant; Providing for Bond Issue of Not to Exceed Five Million (\$5,000,000.00) Dollars for the Construction of Said Plant; Providing for the

Execution of Mortgages on Properties of the State Acquired for Said State-owned Cement Plant to be Held in Trust by the State Treasurer as Security for Payment of Bonds Issued; Providing for Recording of Said Mortgages; Authorizing Issuance of Bonds, Amount, Series, Manner of Execution, Sale, to Whom Payable, Maximum Interest Thereon, Manner of Payment, Establishing Fund for Payment Thereof in State Treasurer's Office; Providing for Levies for Interest and Principal of Said Bonds; Making Appropriations for Payment of the Bonds and for Payment of Expenses to Put This Act Into Effect; Providing for Investment of Sinking Fund, and Exempting Said Bonds From State, County and Municipal Taxes.

Introduction, first reading and reference, 42.
 Referred to Committee on Industry and Business.
 Re-referred to Committee on Appropriations, 234.
 Reported back, 233, (amended) 472.
 Amendments, 472.
 Amendments adopted, 488.
 Amended on floor, 501.
 Second reading, 501.
 To House, 509.
 Returned to Senate, 753.
 Enrolled, 778.
 Signed by the President, 796.
 Sent to the Governor, 807.

Senate Bill No. 85—(Senator Page)

Senate Bill No. 85. A Bill for an Act to Amend and Reenact Section 57-4114 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Deduction Allowed for Collection of Motor Fuel Tax and Declaring an Emergency.

Introduction, first reading and reference, 45.
 Referred to Committee on Finance and Taxation.
 Reported back, (do pass) 148.
 Second reading, (lost, lack of two-thirds majority) 168.

Senate Bill No. 86—(Senators Rue, Nordhougen and Duffy)

Senate Bill No. 86. A Bill for an Act Relating to Oil, Gas, Mineral and Archeological Reservations by the State of North Dakota and Its Agencies and Political Subdivisions and Authorizing the Release of Such Reservations to the United States of America or Any of Its Agencies or Agents and Declaring an Emergency.

Introduction, first reading and reference, 45.
 Referred to Committee on State and Federal Government.
 Reported back, (amended) 209.
 Amendments, 209.
 Amendments adopted, 222.
 Second reading, 240.
 To House, 254.
 Returned to Senate, 544.
 Enrolled, 557.
 Signed by the President, 586.
 Sent to the Governor, 628.
 Approved by the Governor, 691.

Senate Bill No. 87—(Senator Flatt)

Senate Bill No. 87. A Bill for an Act Providing for Survival of Causes of Action.

Introduction, first reading and reference, 45.
 Referred to Committee on Judiciary.
 Reported back, (amended) 106.
 Amendments, 106.
 Amendments adopted, 106.
 Second reading, 123.
 To House, 138.
 Returned to Senate, (amended) 647.
 House amendments, 647.
 Conference Committee, 654.
 Conference Committee Report, (amendments) 793;
 (adopted) 793.
 Final passage, 793.
 Enrolled, 804.
 Signed by the President, 805.
 Sent to the Governor, 807.

Senate Bill No. 88—(Senator Brant)

Senate Bill No. 88. A Bill for an Act Relating to Payment and Collection of Real and Personal Property Taxes, Hail Insurance Taxes, and Special Assessment Taxes; Amending and Reenacting Section 57-2001 of the North Dakota Revised Code of 1943 and Repealing Section 57-2009 of the North Dakota Revised Code of 1943; Providing for Delinquency Dates and Penalties, and Removing Discount for Early Payment of Real Estate Taxes.

Introduction, first reading and reference, 45.
 Referred to Committee on Finance and Taxation.
 Reported back, (do pass) 139; (amended) 193.
 Laid over, 139.
 Amendments, 193.
 Amendments adopted, 211.
 Amended on floor, 237.
 Second reading, (lost) 224, 237.
 To House, 254.
 Returned to Senate, (indefinitely postponed) 518.

Senate Bill No. 89—(Senator Brant)

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 57-0101 of the North Dakota Revised Code of 1943, Relating to Bond of Tax Commissioner.

Introduction, first reading and reference, 46.
 Referred to Committee on Judiciary.
 Reported back, (do pass) 92.
 Second reading, 113.
 To House, 127.
 Returned to Senate, 625.
 Enrolled, 651.
 Signed by the President, 665.
 Sent to the Governor, 730.

Senate Bill No. 90—(Judiciary Committee)

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 30-1607 of the North Dakota Revised Code of

1943, Relating to Hearings Concerning Homestead and Other Exempt Property in Probate Proceedings.

Introduction, first reading and reference, 63.
Referred to Committee on Judiciary.
Reported back, (do pass) 92.
Second reading, 113.
To House, 127.
Returned to Senate, 625.
Enrolled, 651.
Signed by the President, 665.
Sent to the Governor, 730.

Senate Bill No. 91—(Judiciary Committee)

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Section 12-3807 of the North Dakota Revised Code of 1943, Relating to the Use of False Tokens.

Introduction, first reading and reference, 63.
Referred to Committee on Judiciary.
Reported back, (do pass) 250.
Second reading, 277.
To House, 289.
Returned to Senate, (indefinitely postponed) 550.

Senate Bill No. 92—(Judiciary Committee)

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Section 28-0126 of the North Dakota Revised Code of 1943, Relating to limitation on Actions in Case of Death.

Introduction, first reading and reference, 63.
Referred to Committee on Judiciary.
Reported back, (do pass) 92.
Second Reading, 114.
To House, 127.
Returned to Senate, 588.
Enrolled, 627.
Signed by the President, 643.
Sent to the Governor, 730.

Senate Bill No. 93—(Judiciary Committee)

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Sections 30-0219 and 30-1704 of the North Dakota Revised Code of 1943, Relating to Issuance and Service of Citation in Probate Proceedings.

Introduction, first reading and reference, 63.
Referred to Committee on Judiciary.
Reported back, (do pass) 92.
Second reading, 114.
To House, 127.
Returned to Senate, (indefinitely postponed) 587; 719.
House requests return, 648.
Returned to House, 653.
Enrolled, 760.
Signed by the President, 796.
Sent to the Governor, 807.

Senate Bill No. 94—(Senator Duffy)

Senate Bill No. 94. A Bill for an Act to Amend and Re-enact Section 30-2105 of the 1947 Supplement to the North

Dakota Revised Code of 1943, Relating to Distribution in Probate of Estates.

Introduction, first reading and reference, 63.
Referred to Committee on Judiciary.
Reported back, (without recommendation) 234.
Second reading, (lost) 256.

Senate Bill No. 95—(Senator Streibel)

Senate Bill No. 95. A Bill for an Act to Amend and Re-enact Section 16-1001 of the North Dakota Revised Code of 1943, Relating to Boards of Elections and Prescribing Qualifications.

Introduction, first reading and reference, 63.
Referred to Committee on Judiciary.
Reported back, (do pass) 92.
Second reading, 115.
To House, 127.
Returned to Senate, 588.
Enrolled, 627.
Signed by the President, 643.
Sent to the Governor, 730.

Senate Bill No. 96—(Senator Streibel)

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Section 16-1709 of the North Dakota Revised Code of 1943, Relating to County Committee of Political Parties.

Introduction, first reading and reference, 63.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 119.
Second reading, 133
To House, 143.
Returned to Senate, (amended) 510, (amended) 626.
House amendments, 510, 626.
House requests return, 528.
Returned to House, 529.
Senate concurred, 622.
Final passage, 622.
Enrolled, 651.
Signed by the President, 665.
Sent to the Governor, 730.

Senate Bill No. 97—(Committee on Appropriations)

Senate Bill No. 97. A Bill for an Act Transferring Four Hundred Three Dollars and Ninety-four Cents From the Scale Inspection Fund to the General Fund.

Introduction, first reading and reference, 63.
Referred to Committee on Appropriations.
Reported back, (do pass) 106.
Second reading, 123.
To House, 138.
Returned to Senate, 625.
Enrolled, 669.
Signed by the President 688.
Sent to the Governor, 730.

Senate Bill No. 98—(Senators Rue and Streibel)

Senate Bill No. 98. A Bill for an Act to Amend and Re-enact Subdivision B of Section 52-0920 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Term "Employment" and Exceptions Thereto, as Said Term Is Used in Title 52, Chapter 9, and Declaring an Emergency.

Introduction, first reading and reference, 63.

Referred to Committee on Labor Relations.

Reported back, (do pass) 160.

Second reading, 181.

To House, 186.

Returned to Senate, 318.

Enrolled, 331.

Signed by the President, 346.

Sent to the Governor, 373.

Approved by Governor, 395.

Senate Bill No. 99—(Committee on Appropriations)

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 54-1601 of the North Dakota Revised Code of 1943, Relating to Emergency Commission: Members; Organization; Meetings; Duties.

Introduction, first reading and reference, 66.

Referred to Committee on Appropriations.

Reported back, (amended) 220.

Amendments, 220.

Amendments adopted, 237.

Second reading, 256.

To House, 262.

Returned to Senate, 625.

Enrolled, 669.

Signed by the President, 688.

Sent to the Governor, 730.

Senate Bill No. 100—(Senator Feton)

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Section 40-3808 of the North Dakota Revised Code of 1943, Relating to Donations Made to Public Libraries.

Introduction, first reading and reference, 75.

Referred to Committee on General Affairs.

Reported back, (do pass) 148.

Second reading, 169.

To House, 171.

Returned to Senate, 550.

Enrolled, 578.

Signed by the President, 586.

Sent to the Governor, 628.

Approved by the Governor, 691.

Senate Bill No. 101—(Committee on Judiciary)

Senate Bill No. 101. A Bill for an Act to Amend and Re-enact Section 27-0732 of the North Dakota Revised Code of 1943, Relating to Miscellaneous Records To Be Kept by County Courts.

Introduction, first reading and reference, 76.

Referred to Committee on Judiciary.

Reported back, (indefinitely postponed) 352.

Senate Bill No. 102—(Senators Reinke and Olson of Mountrail)

Senate Bill No. 102. A Bill for an Act to Amend and Reenact Subsection 3 of Section 19-0701, 19-0702, 19-0708 and 19-0711 of the North Dakota Revised Code of 1943, Relating to the Licensing and Regulations Governing the Sale of Eggs.

Introduction, first reading and reference, 76.

Referred to Committee on Industry and Business.

Reported back, (do pass) 160.

Second reading, 181.

To House, 186.

Returned to Senate, (indefinitely postponed) 550.

Senate Bill No. 103—(Committee on Judiciary)

Senate Bill No. 103. A Bill for an Act to Amend and Reenact Sections 27-05031 and 27-05032 of the 1947 Supplement to the North Dakota Revised Code of 1943, Providing for the Retirement of Judges of the Supreme Court and the District Court, Providing the Manner of Making Application Therefor, and Providing for Compensation in Case of Retirement, the Method of Filling Vacancies, and Declaring an Emergency.

Introduction, first reading and reference, 76.

Referred to Committee on Judiciary.

Reported back, (do pass) 149.

Second reading, 169.

To House, 171.

Returned to Senate, 588.

Enrolled, 627.

Signed by the President, 643.

Sent to the Governor, 730.

Senate Bill No. 104—(Committee on Judiciary)

Senate Bill No. 104. A Bill for an Act to Provide for the Retirement of Elected State Officials, Providing the Manner of Making Application Therefor, and for Compensation in Case of Retirement, the Method of Filling Vacancies, and Declaring an Emergency.

Introduction, first reading and reference, 76.

Referred to Committee on Judiciary.

Reported back, (do pass) 107.

Amended on floor, 124.

Second reading, 124.

To House, 138.

Returned to Senate, (indefinitely postponed) 587.

Senate Bill No. 105—(Committee on Judiciary)

Senate Bill No. 105. A Bill for an Act for the Retirement of Justices of the Supreme Court and Judges of the District Court; Providing for an Assessment on Salaries of Such Judges; Providing for the Withdrawal of a Portion of the Amount so Assessed on Retirement From Office Without Becoming Eligible for Retirement Salary; Prescribing Duties That Such Retired Judges Shall Be Eligible to Perform and Fixing Their Compensation.

Introduction, first reading and reference, 80.

Referred to Committee on Judiciary.

Reported back, (amended) 448.
Amendments, 448.
Amendments adopted, 480.
Amended on floor, 493.
Second reading, 493.
To House, 509.
Returned to Senate, 588.
Enrolled, 627.
Signed by the President, 643.
Sent to the Governor, 730.

Senate Bill No. 106—(Senator Olson of Mountrail)

Senate Bill No. 106. A Bill for an Act to Amend and Reenact Section 57-2006 of the North Dakota Revised Code of 1943, Relating to Delivery of Tax Lists to County Treasurer.

Introduction, first reading and reference, 80.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 174.
Second reading, 197.
To House, 208.
Returned to Senate, (indefinitely postponed) 518.

Senate Bill No. 107—(Senator Troxel)

Senate Bill No. 107. A Bill for an Act Authorizing Townships to Prohibit Hunting and Trapping, Except By Owners or Occupiers of Lands in Such Township and Prescribing a Penalty.

Introduction, first reading and reference, 80.
Referred to Committee on Natural Resources.
Reported back, (indefinitely postponed) 149.

Senate Bill No. 108—(Committee on Appropriations)

Senate Bill No. 108. A Bill for an Act Making an Appropriation for the Completion of the New Building and Equipment and a Sewage Disposal Plant for the North Dakota Soldiers' Home at Lisbon, North Dakota; and Declaring an Emergency.

Introduction, first reading and reference, 81.
Referred to Committee on Appropriations.
Reported back, (do pass) 107.
Second reading, 140.
To House, 143.
Returned to Senate, 550.
Enrolled, 578.
Signed by the President, 586.
Sent to the Governor, 628.
Approved by the Governor, 691.

Senate Bill No. 109—(Senators Reinke and Nelson of Steele and Griggs)

Senate Bill No. 109. A Bill for an Act to Amend and Reenact Sections 20-0103 and 20-0216 of the North Dakota Revised Code of 1943, Relating to Enforcement of Game and Fish Laws and Repealing Section 20-0118 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 93.
Referred to Committee on Natural Resources.

Reported back, (amended) 160.
 Amendments, 160.
 Amendments adopted, 175.
 Second reading, 198.
 To House, 208.
 Returned to Senate, (indefinitely postponed) 550.

Senate Bill No. 110—(Senator Morgan)

Senate Bill No. 110. A Bill for an Act Making an Appropriation in the Sum of Six Hundred Dollars (\$600.00) for the Payment of a Deficiency for Postage, Supplies, Printing, Furniture and Fixtures, in the Office of the Attorney General.
 Introduction, first reading and reference, 93.
 Referred to Committee on Appropriations.
 Reported back, (do pass) 119.
 Second reading, 140.
 To House, 143.
 Returned to Senate, (amended) 647.
 House amendments, 647.
 Senate concurred, 654.
 Final passage, 655.
 Enrolled, 669.
 Signed by the President, 688.
 Sent to the Governor, 730.

Senate Bill No. 111—(Senators Brunsdale, Morgan, Page and Reinke)

Senate Bill No. 111. A Bill for an Act Making an Appropriation of Eight Million Three Hundred Forty-nine Thousand Three Hundred Seventy-six Dollars for the Purpose of Matching Federal Funds Allocated or To Be Allocated to the State of North Dakota for the Purpose of Construction and Reconstruction of the Public Highways and Bridges Within the State.
 Introduction, first reading and reference, 93.
 Referred to Committee on Appropriations.
 Reported back, (do pass) 472.
 Second reading, 494.
 To House, 509.
 Returned to Senate, 782.
 Enrolled, 798.
 Signed by the President, 799.
 Sent to the Governor, 807.

Senate Bill No. 112—(Senator Rue)

Senate Bill No. 112. A Bill for an Act to Amend and Reenact Section 39-0704, Revised Code of North Dakota for 1943, Defining the Powers of Local Authorities to Regulate and Control Traffic by Ordinance.
 Introduction, first reading and reference, 119.
 Referred to Committee on Transportation.
 Reported back, (do pass) 220.
 Second reading, 240.
 To House, 254.
 Returned to Senate, 694.
 Enrolled, 722.
 Signed by the President, 732.
 Sent to the Governor, 754.

Senate Bill No. 113—(Senators Schoder and Olson of Mountrail)

Senate Bill No. 113. A Bill for an Act to Amend and Reenact Section 19-1012 of the North Dakota Revised Code of 1943, Relating to Specifications for Diesel Fuel.

Introduction, first reading and reference, 119.
 Referred to Committee on Agriculture.
 Re-referred, 236, 324.
 Reported back, 221, (amended) 305, (amended) 414.
 Amendments, 305, 414.
 Amendments adopted, 319, 433.
 Amended on floor, 454.
 Second reading, 454.
 To House, 485.
 Returned to Senate, (amended) 751.
 House amendments, 751.
 Conference Committee, 759.
 Conference Committee Report, 769; (indefinitely postponed) 769.

Senate Bill No. 114—(Senators Pyle and Shure)

Senate Bill No. 114. A Bill for an Act Providing for the Creation of Water Conservation and Flood Control Districts; Providing for the Appointment of Boards of Water Conservation and Flood Control Commissioners and Fixing Their Powers and Duties; Providing for the Acquisition of Property Rights and the Assessment of Benefits Against the Property Benefited, Providing for the Levy of Special Assessments, Prescribing the Duties of County Commissioners Relating to Water Conservation and Flood Control Districts; Providing for the Exemption of Federal Projects and Agencies; Providing That Water Conservation and Flood Control Districts May Contract With Federal and State Departments or Agencies, Persons and Corporations and May Acquire Property in Adjoining States, Repealing Chapter 61-16 of the North Dakota Revised Code of 1943, and chapter 373, of the Session Laws of 1947; and Declaring an Emergency.

Introduction, first reading and reference, 120.
 Referred to Committee on Natural Resources.
 Reported back, (amended) 268.
 Amendments, 268.
 Amendments adopted, 292.
 Second reading, 319.
 To House, 634.
 Returned to Senate, (amended) 718.
 House amendments, 718.
 Senate concurred, 726.
 Final passage, 727.
 Enrolled, 737.
 Signed by the President, 796.
 Sent to the Governor, 807.

Senate Bill No. 115—(Senators Feton, Morgan, Wahlund and Schrock)

Senate Bill No. 115. A Bill for an Act to Increase the Salaries of County Auditors, County Treasurers, Sheriffs, Register of Deeds, County Judges, State's Attorneys, and

Clerks of the District Court During the Calendar Years 1949, 1950, 1951, and 1952, Making Such Increase Retroactive to January 1, 1949 and Declaring an Emergency.

Introduction, first reading and reference, 120.

Referred to Committee on General Affairs.

Re-referred to Committee on Political Subdivisions, 175.

Reported back, 175, (amended) 234.

Amendments, 234.

Amendments adopted, 253.

Second reading, 278.

To House, 289.

Returned to Senate, (amended) 751.

House amendments, 751.

Conference Committee, 759.

Conference Committee Report, (adopted) 769.

Final passage, 769.

Enrolled, 778.

Signed by the President, 796.

Sent to the Governor, 807.

Senate Bill No. 116—(Senators Braun and Spiekemeier)

Senate Bill No. 116. A Bill for an Act to Amend and Reenact Section 61-2130 of the North Dakota Revised Code of 1943, Relating to Payment of Costs and Expenses of Locating and Constructing Drains.

Introduction, first reading and reference, 120.

Referred to Committee on State and Federal Government.

Reported back, (do pass) 175.

Second reading, 198.

To House, 208.

Returned to Senate, 335.

Enrolled, 347.

Signed by the President, 373.

Sent to the Governor, 396.

Approved by the Governor, 446.

Senate Bill No. 117—(Senator Page)

Senate Bill No. 117. A Bill for an Act Fixing a Limit on the Time That Old Records Must Be Retained by a Bank, and Limiting the Time in Which an Action May Be Commenced on Accounts.

Introduction, first reading and reference, 120.

Referred to Committee on Industry and Business.

Reported back, (do pass) 160.

Second reading, 182.

To House, 186.

Returned to Senate, (amended) 648.

House amendments, 648.

Senate concurred, 655.

Final passage, 655.

Enrolled, 669.

Signed by the President, 688.

Sent to the Governor, 730.

Senate Bill No. 118—(Senators Rue, Braun, Stucke and Nordhougen)

Senate Bill No. 118. A Bill for an Act to Amend and Reenact Subsection 8 of Section 65-0102, Sections 65-0207, 65-0428, 65-0512, 65-0527, 65-0801 of the North Dakota

Revised Code of 1943; Subsection 5 of Section 65-0102, Sections 65-0202, 65-0503, 65-0509, 65-0513, 65-0517, 65-0526, 65-0802 and 65-1001 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Workmen's Compensation; and Declaring an Emergency.

Introduction, first reading and reference, 120.

Referred to Committee on Industry and Business.

Reported back, (amended) 397.

Amendments, 397.

Amendments, adopted, 414.

Second reading, 440.

To House, 453.

Returned to Senate, (amended) 718.

House amendments, 718.

Conference Committee, 727.

Conference Committee Report, (adopted) 794.

Final passage, 794.

Enrolled, 804.

Signed by the President, 805.

Sent to the Governor, 807.

Senate Bill No. 119—(Senators Rue, Shure and Braun)

Senate Bill No. 119. A Bill for an Act to Amend and Reenact Section 57-3826, Subsection 1 of Section 57-3827, Section 57-3829 and Subsections 1, 2, and 4 of Section 57-3831 of the North Dakota Revised Code of 1943, as Amended, Relating to Income Tax.

Introduction, first reading and reference, 131.

Referred to Committee on Industry and Business.

Reported back, (amended) 352.

Amendments, 352.

Amendments adopted, 382.

Indefinitely postponed, 402.

Senate Bill No. 120—(Senators Streibel and Lynch)

Senate Bill No. 120. A Bill for an Act to Amend and Reenact Sections 52-0201 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Unemployment Compensation Division and North Dakota State Employment Service To Be Divisions of Bureau; Regulations Governing; 52-0413, Priority Rights to Contributions Upon Legal Dissolutions or Distributions; 52-0602, Relating to Disqualification for Benefits; 52-0604, Relating to Amount of Benefits.

Introduction, first reading and reference, 132.

Referred to Committee on Labor Relations.

Reported back, (amended) 356.

Amendments, 356.

Amendments adopted, 383.

Second reading, 410.

To House, 415.

Returned to Senate, (amended) 668.

House amendments, 668.

Senate concurred, 679.

Final passage, 679.

Enrolled, 706.

Signed by the President, 732.

Sent to the Governor, 754.

Senate Bill No. 121—(Senators Streibel and Lynch)

Senate Bill No. 121. A Bill for an Act to Amend and Reenact Section 52-0412 of the 1947 Supplement to the North Dakota Revised Code of 1943, of the Unemployment Compensation Law, Relating to Civil Action to Collect Contributions or Interest; Priority of Action on Calendar; Providing for Judgments.

Introduction, first reading and reference, 132.

Referred to Committee on Labor Relations.

Reported back, (do pass) 315.

Second reading, 338.

To House, 359.

Returned to Senate, 550.

Enrolled, 578.

Signed by the President, 586.

Sent to the Governor, 628.

Approved by the Governor, 691.

Senate Bill No. 122—(Senators Streibel and Lynch)

Senate Bill No. 122. A Bill for an Act to Amend and Reenact Section 52-0414 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Adjustment and Refund of Contributions.

Introduction, first reading and reference, 132.

Referred to Committee on Labor Relations.

Reported back, (do pass) 315.

Second reading, 338.

To House, 359.

Returned to Senate, 550.

Enrolled, 578.

Signed by the President, 586.

Sent to the Governor, 628.

Approved by the Governor, 691.

Senate Bill No. 123—(Senator Page)

Senate Bill No. 123. A Bill for an Act Fixing Limitations on Revocations, Countermands of Payments and Stop Payment Orders and Regulating the Payment of Checks and Drafts Against Bank Accounts and Savings and Loan Association Accounts.

Introduction, first reading and reference, 132.

Referred to Committee on Industry and Business.

Reported back, (amended) 305.

Amendments, 305.

Amendments adopted, 319.

Second reading, 339.

To House, 359.

Returned to Senate, (indefinitely postponed) 550.

Senate Bill No. 124—(Senators Morgan and O'Brien)

Senate Bill No. 124. A Bill for an Act to Amend and Reenact Sections 24-0204, 39-0201 and 39-0203 of the North Dakota Revised Code of 1943 and 39-0202 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to the Registrar of Motor Vehicles.

Introduction, first reading and reference, 132.

Referred to Committee on State and Federal Government.

Reported back, (do pass) 268.
 Second reading, 294.
 To House, 307.
 Returned to Senate, (amended) 510, (indefinitely postponed) 550.
 House amendments, 510.
 House requested return, 528.
 Returned to House, 529.

Senate Bill No. 125—(Senators Braun and Duffy)

Senate Bill No. 125. A Bill for an Act Relating to the Collection, Payment and Dishonor of Demand Items by Banks and the Revocation of Credit for and Payment of Such Items.

Introduction, first reading and reference, 132.
 Referred to Committee on Industry and Business.
 Reported back, (do pass) 268.
 Second reading, 294.
 To House, 307.
 Returned to Senate, (indefinitely postponed) 574, (passed) 668.
 House requests return, 648.
 Returned to House, 653.
 Enrolled, 706.
 Signed by the President, 732.
 Sent to the Governor, 754.

Senate Bill No. 126—(Senators Krenz, Rue, Wahlund, Leno, Nordhogen and Brant)

Senate Bill No. 126. A Bill for an Act Amending and Reenacting Section 37-0301 of the 1947 Supplement to the North Dakota Revised Code of 1943 Relating to the Office of the Adjutant General.

Introduction, first reading and reference, 133.
 Referred to Committee on Veterans Affairs.
 Reported back, (do pass) 268.
 Amended on floor, 295.
 Second reading, 295.
 To House, 308.
 Returned to Senate, (amended) 752.
 House amendments, 752.
 Senate concurred, 763.
 Final passage, 763.
 Enrolled, 778.
 Signed by the President, 796.
 Sent to the Governor, 807.

Senate Bill No. 127—(Senators Stucke, Melhaff and Day)

Senate Bill No. 127. A Bill for an Act Providing for the Establishment and Regulation of Rural Hospitals, Community Clinics, Health Stations, First Aid Stations, and Providing for the Training of Internes, Nurses and Other Health Workers and Facilitating the Placement and Training of Physicians and Surgeons in the State of North Dakota.

Introduction, first reading and reference, 133.
 Referred to Committee on Social Welfare.
 Reported back, (amended) 377.

Amendments, 377.
 Amendments adopted, 400.
 Second reading, 424.
 To House, 432.
 Returned to Senate, (indefinitely postponed) 744.

Senate Bill No. 128—(Senators Reinke, Streibel and Mehlhaff)

Senate Bill No. 128. A Bill for an Act Relating to Non-resident Hunting License.

Introduction, first reading and reference, 139.
 Referred to Committee on Natural Resources.
 Reported back, (do pass) 331.
 Second reading, 360.
 To House, 383.
 Returned to Senate, (indefinitely postponed) 550.

Senate Bill No. 129—(Senator Braun)

Senate Bill No. 129. A Bill for an Act to Amend and Reenact Section 20-0502 and Section 20-0504 of the North Dakota Revised Code of 1943, Relating to the Time and Manner of Taking Big Game Animals and Declaring an Emergency.

Introduction, first reading and reference, 149.
 Referred to Committee on Natural Resources.
 Reported back, (do pass) 356.
 Second reading, laid on table, 438.

Senate Bill No. 130—(Committee on Natural Resources)

Senate Bill No. 130. A Bill for an Act to Amend and Reenact Subsection 2 of Section 20-0507 of the North Dakota Revised Code of 1943, Relating to the Attaching of Seals to the Carcasses of Big Game Animals and the Manner of so Doing, and Declaring an Emergency.

Introduction, first reading and reference, 150.
 Referred to Committee on Natural Resources.
 Reported back, (do pass) 306.
 Amended on floor, 322.
 Second reading, 322.
 To House, 334.
 Returned to Senate, 625.
 Enrolled, 651.
 Signed by the President, 665.
 Sent to the Governor, 730.

Senate Bill No. 131—(Committee on Natural Resources)

Senate Bill No. 131. A Bill for an Act to Amend and Reenact Sections 20-0604 and 20-0605 of the North Dakota Revised Code of 1943, Relating to Creel Limit on Pike, the Size of Protected Fish That May Be Taken; and Declaring an Emergency.

Introduction, first reading and reference, 150.
 Referred to Committee on Natural Resources.
 Reported back, (do pass) 306.
 Second reading, 323.
 To House, 334.

Returned to Senate, 625.
Enrolled, 651.
Signed by the President, 665.
Sent to the Governor, 730.

Senate Bill No. 132—(Committee on Natural Resources)

Senate Bill No. 132. A Bill for an Act to Amend and Reenact Section 20-0705 of the North Dakota Revised Code of 1943, Relating to the Methods of Taking Fur-bearing Animals.

Introduction, first reading and reference, 150.
Referred to Committee on Natural Resources.
Reported back, (do pass) 316.
Second reading, 339.
To House, 359.
Returned to Senate, (amended) 589.
House amendments, 589.
Senate concurred, 608.
Final passage, 608.
Enrolled, 637.
Signed by the President, 643.
Sent to the Governor, 731.

Senate Bill No. 133—(Committee on Natural Resources)

Senate Bill No. 133. A Bill for an Act to Amend and Reenact Subsection 7 of Section 20-0312 and Subsection 2 of Section 20-0302 of the North Dakota Revised Code of 1943, Relating to the Fee for a Resident Fishing License, Requirements for License; and Declaring an Emergency.

Introduction, first reading and reference, 150.
Referred to Committee on Natural Resources.
Reported back, (do pass) 316.
Second reading, 340.
To House, 359.
Returned to Senate, (indefinitely postponed) 587.

Senate Bill No. 134—(Senator Krenz)

Senate Bill No. 134. A Bill for an Act Authorizing a County Levy of Not to Exceed One Mill for County Agent Work; Amending and Reenacting Sections 4-0802 and 4-0804 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 150.
Referred to Committee on Political Subdivisions.
Reported back, (do pass) 221.
Amended on floor, 279.
Second reading, 279.
To House, 307.
Returned to Senate, (amended) 589.
House amendments, 589.
Senate concurred, 608.
Final passage, 608.
Enrolled, 637.
Signed by the President, 643.
Sent to the Governor, 731.

Senate Bill No. 135—(Senator Rue (by request))

Senate Bill No. 135. A Bill for an Act to Repeal Subsection 11 of Section 58-0307 of the North Dakota Revised

Code of 1943, Relating to Powers of Electors of Townships to Fix Per Diem Rate for Work on Highways in Payment of Road Taxes.

Introduction, first reading and reference, 150.
 Referred to Committee on Political Subdivisions.
 Reported back, (do pass) 221.
 Second reading, 254.
 To House, 262.
 Returned to Senate, 574.
 Enrolled, 599.
 Signed by the President, 622.
 Sent to the Governor, 731.

Senate Bill No. 136—(Senator Rue (by request))

Senate Bill No. 136. A Bill for an Act to Repeal Section 24-0632 of the North Dakota Revised Code of 1943, Relating to Refusal of Road Overseer to Serve.

Introduction, first reading and reference, 150.
 Referred to Committee on Political Subdivisions.
 Reported back, (do pass) 234.
 Second reading, 257.
 To House, 262.
 Returned to Senate, 574.
 Enrolled, 599.
 Signed by the President, 622.
 Sent to the Governor, 731.

Senate Bill No. 137—(Senator Rue (by request))

Senate Bill No. 137. A Bill for an Act Relating to Compensation of Township Officers.

Introduction, first reading and reference, 151.
 Referred to Committee on Political Subdivisions.
 Reported back, (indefinitely postponed) 306.

Senate Bill No. 138—(Senators Shure, Rue and Bridston)

Senate Bill No. 138. A Bill for an Act to Amend and Reenact Sections 61-0204 and 61-0207 of the North Dakota Revised Code of 1943, Relating to the State Water Commission.

Introduction, first reading and reference, 151.
 Referred to Committee on Industry and Business.
 Reported back, (do pass) 269.
 Second reading, 296.
 To House, 307.
 Returned to Senate, 550.
 Enrolled, 578.
 Signed by the President, 586.
 Sent to the Governor, 628.
 Approved by the Governor, 691.

Senate Bill No. 139—Senators Albers, Spiekermeier, Reinke and Flatt)

Senate Bill No. 139. A Bill for an Act to Amend and Reenact Section 5-0113 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Sale of Alcoholic Beverages.

Introduction, first reading and reference, 151.
 Referred to Committee on Social Welfare.
 Reported back, (indefinitely postponed) 250.

Senate Bill No. 140—(Senators Olson of Mountrail and Solberg)

Senate Bill No. 140. A Bill for an Act to Provide for the Spraying of Weeds Along Township Roads and Authorizing the Expenditure of Township Funds for That Purpose.

Introduction, first reading and reference, 151.

Referred to Committee on General Affairs.

Re-referred, 255.

Reported back, (do pass) 175, (amended) 306.

Amendments, 306.

Amendments adopted, 319.

Second reading, 340.

To House, 359.

Returned to Senate, 574.

Enrolled, 599.

Signed by the President, 622.

Sent to the Governor, 731.

Senate Bill No. 141—(Senator Day)

Senate Bill No. 141. A Bill for an Act Requiring the Board of Administration to Purchase a Helicopter To Be Used for Mercy Calls in the Event of Illness and Other Emergencies, Providing Regulations for the Use of the Same, Making an Appropriation Therefor, and Declaring an Emergency.

Introduction, first reading and reference, 151.

Referred to Committee on Transportation.

Re-referred to Committee on Appropriations, 357.

Reported back, (amended) 356, (indefinitely postponed) 472.

Amendments, 356.

Amendments adopted, 383.

Senate Bill No. 142—(Committee on Appropriations)

Senate Bill No. 142. A Bill for an Act Making an Appropriation for the Deficiency in Salary of an Elected State Official of the State of North Dakota for the Last Six Months of the Biennium Ending June 30, 1949, and Declaring an Emergency.

Introduction, first reading and reference, 151.

Referred to Committee on Appropriations.

Reported back, (do pass) 193.

Second reading, 255.

To House, 262.

Returned to Senate, 625.

Enrolled, 651.

Signed by the President, 665.

Sent to the Governor, 731.

Senate Bill No. 143—(Senators Sandness, Blume, Fetton and Weland)

Senate Bill No. 143. A Bill for an Act Amending and Reenacting Section 4-1815 of the North Dakota Revised Code of 1943, Relating to Grades of Cream and Butterfat and Providing for the Addition of a Harmless Vegetable Color to All "Unlawful Cream" Offered for Sale to Persons, Firms or Corporations Authorized to Purchase Cream or Butterfat.

Introduction, first reading and reference, 151.

Referred to Committee on Agriculture.

Reported back, (do pass) 306.
Second reading, 323.
To House, 334.
Returned to Senate, 588.
Enrolled, 627.
Signed by the President, 643.
Sent to the Governor, 731.

Senate Bill No. 144—(Senators Morgan and Fetton)

Senate Bill No. 144. A Bill for an Act to Amend and Reenact Sections 25-0205 of the 1947 Supplement to the North Dakota Revised Code of 1943 and 25-0403 of the North Dakota Revised Code of 1943, Relating to Superintendents, Assistant Superintendents and Physicians of Certain State Institutions.

Introduction, first reading and reference, 151.
Referred to Committee on State and Federal Government.
Reported back, (indefinitely postponed) 291.

Senate Bill No. 145—(Senators Troxel and Schrock)

Senate Bill No. 145. A Bill for an Act to Amend and Reenact Subsection 3 of Section 57-1517 of the North Dakota Revised Code of 1943, Relating to Disposition of School Building Fund.

Introduction, first reading and reference, 161.
Referred to Committee on Education.
Reported back, (do pass) 193.
Second reading, 263.
To House, 289.
Returned to Senate, 625.
Enrolled, 651.
Signed by the President, 665.
Sent to the Governor, 731.

Senate Bill No. 146—(Senators Day, Schrock and Troxel)

Senate Bill No. 146. A Bill for an Act to Amend and Reenact Section 27-1602 of the North Dakota Revised Code of 1943, Relating to Juvenile Commissioners.

Introduction, first reading and reference, 161.
Referred to Committee on Judiciary.
Reported back, (do pass) 235.
Second reading, 263.
To House, 289.
Returned to Senate, 588.
Enrolled, 627.
Signed by the President, 643.
Sent to the Governor, 731.

Senate Bill No. 147—(Committee on Judiciary)

Senate Bill No. 147. A Bill for an Act to Authorize the State Board of Higher Education to Issue Tax Exempt Bonds and Construct Revenue Producing Buildings at Institutions of Higher Learning, Under the Provisions of Chapter 15-55 of the 1947 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 161.
Referred to Committee on State and Federal Government.

Reported back, (do pass) 269.
 Second reading, 296.
 To House, 307.
 Returned to Senate, 550.
 Enrolled, 578.
 Signed by the President 586.
 Sent to the Governor, 628.
 Approved by the Governor, 691.

Senate Bill No. 148—(Senators Olson of Barnes, Stucke, Welander and Mehlhaff)

Senate Bill No. 148. A Bill for an Act to Amend and Reenact Section 39-0801 of the North Dakota Revised Code of 1943, Providing for Punishment of Any Person Driving a Motor Vehicle While Under the Influence of Intoxicating Liquor or Narcotic Drugs. Establishing Presumptions for the Determination of What Constitutes Being Under the Influence of Liquor.

Introduction, first reading and reference, 161.
 Referred to Committee on Social Welfare.
 Re-referred, 294.
 Reported back, (do pass) 251, (amended) 316.
 Amendments, 316.
 Amendments adopted, 336.
 Second reading, 361.
 To House, 383.
 Returned to Senate, 550.
 Enrolled, 578.
 Signed by the President, 586.
 Sent to the Governor, 628.
 Approved by the Governor, 691.

Senate Bill No. 149—(Senator Troxel)

Senate Bill No. 149. A Bill for an Act Relating to Seeding Highway Ditches and Banks to Grass.

Introduction, first reading and reference, 161.
 Referred to Committee on Political Subdivisions.
 Reported back, (amended) 269.
 Amendments, 269.
 Amendments adopted, 293.
 Second reading, 320.
 To House, 334.
 Returned to Senate, (indefinitely postponed) 543.

Senate Bill No. 150—(Senator Shure)

Senate Bill No. 150. A Bill for an Act Validating Sales of Real Estate on Execution and Foreclosure of a Mortgage, and Declaring an Emergency.

Introduction, first reading and reference, 161.
 Referred to Committee on Judiciary.
 Reported back, (do pass) 448.
 Second reading, 482.
 To House, 490.
 Returned to Senate, (indefinitely postponed) 587.

Senate Bill No. 151—(Committee on Appropriations)

Senate Bill No. 151. A Bill for an Act Making an Appropriation for a Deficiency in Travel and Miscellaneous of the

Teachers' Insurance and Retirement Fund Budget; and Declaring an Emergency.

Introduction, first reading and reference, 161.

Referred to Committee on Appropriations.

Reported back, (do pass) 194.

Second reading, 264.

To House, 289.

Returned to Senate, 625.

Enrolled, 651.

Signed by the President, 665.

Sent to the Governor, 731.

Senate Bill No. 152—(Senators Freed, Mehlhaff and Strand)

Senate Bill No. 152. A Bill for an Act to Provide the Standards of Time for the State of North Dakota.

Introduction, first reading and reference, 162.

Referred to Committee on State and Federal Government.

Reported back, (do pass) 291.

Second reading, 320.

To House, 334.

Returned to Senate, (indefinitely postponed) 587.

Senate Bill No. 153—(Senators Brant and Mehlhaff)

Senate Bill No. 153. A Bill for an Act to Amend, Supplement and Reenact Section 57-0501 North Dakota Revised Code of 1943, and also Chapter 57-05 Thereof; Providing for Assessment of Railroad Property by State Board of Equalization; Providing for Tentative Valuation by Tax Commissioner, and Providing for Notice of Hearing Thereon to Railroad Companies; Providing for Assessment by State Board of Equalization and the Giving of Notice of Increase to Railroad Companies Affected, With Opportunity for Hearing Thereon; Providing for Equalization of Assessments of the Property of Railroad Companies, and Making Sections 57-0612, 57-0615, and 57-0616 North Dakota Revised Code of 1943 Applicable to Chapter 57-05 Thereof.

Introduction, first reading and reference, 162.

Referred to Committee on Finance and Taxation.

Withdrawn, 174.

Senate Bill No. 154—(Senators Schrock, O'Brien and Pyle)

Senate Bill No. 154. A Bill for an Act to Amend and Reenact Sections 29-0601 and 39-0607 of the North Dakota Revised Code of 1943; Defining Chauffeurs and Providing for the Licensing of Chauffeurs and the Classification of and Eligibility for a Chauffeur's License in Lieu of an Operator's License.

Introduction, first reading and reference, 162.

Referred to Committee on Industry and Business.

Re-referred to Committee on Transportation, 293.

Reported back, (indefinitely postponed) 357.

Senate Bill No. 155—(Senators Leno, Shure and Solberg)

Senate Bill No. 155. A Bill for an Act Restricting Public Officers and Employees From Using Their Office to Benefit Themselves Financially, and Providing a Penalty for Violation Thereof.

Introduction, first reading and reference, 162.

Referred to Committee on Industry and Business.

Reported back, (do pass) 269.
Second reading, 297.
To House, 307.
Returned to Senate, 573.
Enrolled, 599.
Signed by the President, 622.
Sent to the Governor, 731.

Senate Bill No. 156—(Committee on Social Welfare)

Senate Bill No. 156. A Bill for an Act to Amend and Reenact Section 50-0604 of the North Dakota Revised Code of 1943 Pertaining to Compensation for Members of the Public Welfare Board of North Dakota.

Introduction, first reading and reference, 162.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 269.
Second reading, 297.
To House, 307.
Returned to Senate, 550.
Enrolled, 578.
Signed by the President, 586.
Sent to the Governor, 628.
Approved by the Governor, 691.

Senate Bill No. 157—(Senator Nelson of McKenzie)

Senate Bill No. 157. A Bill for an Act Appropriating the Sum of \$500,000 Out of Any Monies in the State Treasury Not Otherwise Appropriated, or so Much Thereof as May Be Necessary to Match Federal Funds of Like Amount Now Available or Hereafter to Become Available for a Bridge To Be Constructed Across the Yellowstone River in McKenzie County, North Dakota, on Highway No. 23; Authorizing and Directing the State Highway Commissioner and His Officers and Engineers to Prepare Plans and Specifications for Such Bridge and to Proceed with the Construction Thereof as soon as Convenient; and Declaring an Emergency.

Introduction, first reading and reference, 162.
Referred to Committee on Appropriations.
Reported back, (amended) 472.
Amendments, 472.
Amendments adopted, 488.
Second reading, 499.
To House, 509.
Returned to Senate, 753.
Enrolled, 760.
Signed by the President, 796.
Sent to the Governor, 797.

Senate Bill No. 158—(Senator Troxel)

Senate Bill No. 158. A Bill for an Act Authorizing Attachment of Communication Wires to Structures Supporting Electric Supply Lines, Providing for Nonliability for Injury or Damage Resulting From Attachment of Communication Wires to Structures Supporting Electric Supply Lines, and Providing Compensation for Such Attachments.

Introduction, first reading and reference, 176.
Referred to Committee on Industry and Business.

Reported back, (amended) 269.
Amendments, 269.
Amendments adopted, 293.
Second reading, 310.
To House, 318.
Returned to Senate, (indefinitely postponed) 718.

Senate Bill No. 159—(Senators Shure and Rue)

Senate Bill No. 159. A Bill for an Act Providing for Inspection of Vehicles by the State Highway Patrol or the Police Department of Certain Cities; Prohibiting the Operation of Unsafe Vehicles and Providing Penalties.

Introduction, first reading and reference, 176.
Referred to Committee on Transportation.
Reported back, (indefinitely postponed) 357.

Senate Bill No. 160—(Senators Shure and Duffy)

Senate Bill No. 160. A Bill for an Act to Amend and Reenact Section 6-0816 of the North Dakota Revised Code of 1943, Relating to Issuing Checks, Drafts or Order Without Sufficient Funds or Credits.

Introduction, first reading and reference, 176.
Referred to Committee on Industry and Business.
Reported back, (do pass) 235.
Second reading, 257.
To House, 262.
Returned to Senate, (indefinitely postponed) 744.

Senate Bill No. 161—Senators Stucke, Nordhousen, Duffy, Kamrath, Coghlan, Nelson of McKenzie, Rue and Albers)

Senate Bill No. 161. A Bill for an Act Making an Emergency Appropriation for the Period From January 1, to June 30, 1949, Out of Moneys in the Retail Sales Tax Fund Created by Chapter 344, Laws of 1947, to Provide for the Assistance of Destitute and Necessitous Indians on Indian Reservations; Providing for the Distribution of This Appropriation by the Public Welfare Board of North Dakota to Counties in Which There Are Indian Reservations; and Declaring an Emergency.

Introduction, first reading and reference, 177.
Referred to Committee on Appropriations.
Reported back, (amended) 235.
Amendments, 235.
Amendments adopted, 253.
Second reading, 272.
To House, 275.
Returned to Senate, 753.
Enrolled, 764.
Signed by the President, 797.
Sent to the Governor, 808.

Senate Bill No. 162—(Senators Nordhousen and Duffy)

Senate Bill No. 162. A Bill for an Act to Amend and Reenact Section 27-0905 of the North Dakota Revised Code of 1943, Relating to Fees and Mileage of Jurors.

Introduction, first reading and reference, 177.
Referred to Committee on Judiciary.

Reported back, (do pass) 235.
Second reading, 258.
To House, 262.
Returned to Senate, 573.
Enrolled, 599.
Signed by the President, 622.
Sent to the Governor, 731.

Senate Bill No. 163—(Senator Rue)

Senate Bill No. 163. A Bill for an Act to Amend and Reenact Section 24-1202 of N. D. Revised Code of 1943, Relating to Warning Signs of Road Construction or Improvement in Contracts by State Highway Department, County or Township for Construction or Improvement of Any Road, Culvert or Bridge.

Introduction, first reading and reference, 177.
Referred to Committee on Transportation.
Reported back, (do pass) 357.
Amended on floor, 386, 402.
Second reading, 386, 402.
Reconsidered, 394.
To House, 415.
Returned to Senate, 574.
Enrolled, 599.
Signed by the President, 622.
Sent to the Governor, 731.

Senate Bill No. 164—(Senators Rue, Brant and Nordhougen)

Senate Bill No. 164. A Bill for an Act to Amend and Reenact Section 15-4910 of the North Dakota Revised Code of 1943, Relating to Solicitation and Sales in Schools; Prohibited, Except as Herein Provided; Penalty.

Introduction, first reading and reference, 177.
Referred to Committee on Education.
Reported back, (indefinitely postponed) 448.

Senate Bill No. 165—(Senators Brant, Blume and Nelson of McKenzie)

Senate Bill No. 165. A Bill for an Act to Amend and Reenact Section 36-0101 of the North Dakota Revised Code of 1943 Relating to the State Livestock Sanitary Board; Providing for the Membership Thereon and the Manner in Which Appointed; Providing for the Terms and Qualifications of the Members Thereof and Providing for the Expiration of Terms of Office of Members of Said Board Existing Prior to the Effective Date of Establishment of the Board Provided for in This Act.

Introduction, first reading and reference, 177.
Referred to Committee on Agriculture.
Reported back, (amended) 448.
Amendments, 448.
Amendments on committee report, 480.
Amendments adopted, 480.
Second reading, 496.
To House, 509.
Returned to Senate, 588.
Enrolled, 627.
Signed by the President, 643.
Sent to the Governor, 731.

Senate Bill No. 166—(Senators Olson of Mountrail, Reinke, Wahlund and Albers)

Senate Bill No. 166. A Bill for an Act to Repeal Chapter 43-18 of the North Dakota Revised Code of 1943, Relating to Plumbers.

Introduction, first reading and reference, 177.

Referred to Committee on Labor Relations.

Re-referred, 387.

Reported back, (without recommendation) 357; (indefinitely postponed) 449.

Senate Bill No. 167—(Senator Duffy)

Senate Bill No. 167. A Bill for an Act to Amend and Reenact Sections 49-0914 and 49-0915 of N. D. Revised Code of 1943 Relating to Public Utility General Property Transfers and the Recording Thereof and Conveyance by Public Utilities of Property Other Than Right-of-way and Recording Thereof.

Introduction, first reading and reference, 178.

Referred to Committee on Judiciary.

Reported back, (do pass) 357.

Second reading, 387.

To House, 399.

Returned to Senate, (amended) 648.

House amendments, 648.

Senate concurred, 656.

Final passage, 656.

Enrolled, 669.

Signed by the President, 688.

Sent to the Governor, 731.

Senate Bill No. 168—(Senators Day, Blume, Freed, Shure, Bridston, Foss and Braun)

Senate Bill No. 168. A Bill for an Act Granting Additional Powers to the State Board of Higher Education Relative to the Issuing of Bonds Under the Provisions of Chapter 154 of the Session Laws of 1947, Providing Additional Sources for the Bond Payment Fund.

Introduction, first reading and reference, 187.

Referred to Committee on State and Federal Government.

Reported back, (amended) 270.

Amendments, 270.

Amendments adopted, 293.

Amended on floor, 310.

Second reading, 310.

To House, 318.

Returned to Senate, 588.

Enrolled, 627.

Signed by the President, 643.

Sent to the Governor, 731.

Senate Bill No. 169—(Senators Rue and Duffy)

Senate Bill No. 169. A Bill for an Act to Amend and Reenact Section 15-1803, North Dakota Revised Code of 1943, Relating to Junior Colleges in Special School Districts; Providing for Tuition in Junior Colleges; Providing for a Tax Levy for the Support of Junior Colleges.

Introduction, first reading and reference, 187.

Referred to Committee on Education.

Reported back, (do pass) 291.
 Second reading, 311.
 To House, 318.
 Returned to Senate, 648.
 Enrolled, 669.
 Signed by the President, 688.
 Sent to the Governor, 731.

Senate Bill No. 170—(Committee on Appropriations)

Senate Bill No. 170. A Bill for an Act to Amend and Reenact Section 54-27092 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Appropriations for Buildings, Additions to Buildings and Permanent Improvements for State Charitable, Penal and Educational Institutions.

Introduction, first reading and reference, 187.
 Referred to Committee on State and Federal Government.
 Reported back, (do pass) 291.
 Second reading, 311.
 To House, 318.
 Returned to Senate, 588.
 Enrolled, 637.
 Signed by the President, 643.
 Sent to the Governor, 731.

Senate Bill No. 171—(Senators Day, Duffy and Nordhougen)

Senate Bill No. 171. A Bill for an Act to Amend and Reenact Section 33-1234 of the North Dakota Revised Code of 1943, Relating to Appeal From Justice Court Judgment by State and Defendant; Time; How Taken; Notice; and Bail and Providing a New Trial in Certain Cases.

Introduction, first reading and reference, 187.
 Referred to Committee on Judiciary.
 Reported back, (amended) 270.
 Amendments, 270.
 Amendments adopted, 293.
 Amended on floor, 312.
 Second reading, 312.
 To House, 318.
 Returned to Senate, 550.
 Enrolled, 579.
 Signed by the President, 586.
 Sent to the Governor, 628.
 Approved by the Governor, 691.

Senate Bill No. 172—(Senators Rue, Shure and Braun)

Senate Bill No. 172. A Bill for an Act to Amend Chapter 23-11 of the North Dakota Revised Code of 1943 Relating to the Creation of Housing Authorities, Known as the Housing Authorities Law, so as to Provide for the Creation of Regional Housing Authorities as Public Bodies Corporate and Politic and Delegating to Them Certain Powers and Functions, to Define the Area of Operation of Such Regional Housing Authorities and to Provide for Increasing the Area of Operation of Such Authorities, to Provide for the Appointment of Commissioners of Regional Housing Authorities and Defining Their Duties, Powers and Tenure, to

Authorize County and Regional Housing Authorities to Engage in Rural Housing, and to Authorize Housing Authorities to Enter Into Certain Agreements to Secure Federal Contributions.

Introduction, first reading and reference, 187.

Referred to Committee on General Affairs.

Not to be printed, 251.

Reported back, (indefinitely postponed) 251.

Senate Bill No. 173—(Senators Rue, Shure and Braun)

Senate Bill No. 173. A Bill for an Act to Authorize Cities, Towns, Villages, Counties and Other Public Bodies and Subdivisions to Aid Housing Projects of Housing Authorities by Conveying or Dedicating Property, by Furnishing Parks, Playgrounds, Streets, Roads, Water, Sewer and Drainage Facilities and Other Improvements and Facilities, by Exercising Certain Other Powers and by Making Agreements Relating to Such Aid; to Authorize Cities, Towns, Villages, Counties and Other Public Bodies and Subdivisions to Purchase Bonds of Housing Authorities, to Make Agreements Respecting the Exercise of Their Powers Relating to the Remediating or Elimination of Unfit Buildings and to Make Agreements Relating to Payments by Housing Authorities; and to Authorize Counties and Cities and Other Public Bodies Included in the Area of Operation of a Housing Authority to Lend or Donate Money to Such Authority.

Introduction, first reading and reference, 188.

Referred to Committee on General Affairs.

Not to be printed, 251.

Reported back, (indefinitely postponed) 251.

Senate Bill No. 174—(Senators Rue, Shure and Braun)

Senate Bill No. 174. A Bill for an Act to Authorize Housing Authorities to Clear Blighted Areas and Prevent Blight; to Acquire Real Property and Make it Available for Redevelopment by Private Enterprise or by Public Agencies in Accordance With Approved Redevelopment Plans; and to Confer Necessary Powers on Housing Authorities; Cities and Other Public Bodies, and to Make Obligations Issued by Housing Authorities in Connection with Redevelopment Projects Legal Investments and Security for Deposits; and to Authorize the Creation of an Advisory Board to Housing Authorities Composed of Representatives of Business, Real Estate, Home Financing and Other Interests.

Introduction, first reading and reference, 188.

Referred to Committee on General Affairs.

Not to be printed, 251.

Reported back, (indefinitely postponed) 251.

Senate Bill No. 175—(Senators Rue, Shure and Braun)

Senate Bill No. 175. A Bill for an Act to Provide That Bonds and Other Obligations Issued by any Public Housing Authority or Agency, When Secured by a Pledge of Annual Contributions To Be Paid by the United States Government, Shall Be Security for All Public Deposits and Negotiable, and Legal Investments for the State and Public Officers, Municipal Corporations, Political Subdivisions, and Public

Bodies, All Banks, Bankers, Trust Companies, Savings Banks and Institutions, Investment Companies, All Insurance Companies, Insurance Associations and Other Persons Carrying on Banking or Insurance Business, and All Executors, Administrators, Guardians, Trustees, and Other Fiduciaries.

Introduction, first reading and reference, 188.
 Referred to Committee on General Affairs.
 Not to be printed, 251.
 Reported back, (indefinitely postponed) 251.

Senate Bill No. 176—(Senators Sandness, Reinke, Fraser and Bjorlie)

Senate Bill No. 176. A Bill for an Act Making an Appropriation to the Experiment Station of the North Dakota Agricultural College for Research and Experimentation for Control of Weeds, Insects, Plant Disease and Crop Treatment.

Introduction, first reading and reference, 189.
 Referred to Committee on Agriculture.
 Re-referred to Committee on Appropriations.
 Reported back, (re-referred) 306, (indefinitely postponed) 472.

Senate Bill No. 177—(Committee on Social Welfare)

Senate Bill No. 177. A Bill for an Act Prohibiting the Playing of and the Use of Live Music in Any Place Where Intoxicating Liquors Are Sold, and Providing a Penalty.

Introduction, first reading and reference, 189.
 Referred to Committee on Social Welfare.
 Reported back, (divided report); (indefinitely postponed) 291.

Senate Bill No. 178—(Senators Blume, Troxel and Solberg)

Senate Bill No. 178. A Bill for an Act to Amend and Reenact Section 11-0704 of the North Dakota Revised Code of 1943 Relating to the Redistricting of Counties.

Introduction, first reading and reference, 189.
 Referred to Committee on Political Subdivisions.
 Reported back, (amended) 378.
 Amendments, 378.
 Amendments adopted, 400.
 Second reading, 424.
 To House, 432.
 Returned to Senate, 550.
 Enrolled, 579.
 Signed by the President, 586.
 Sent to the Governor, 628.
 Approved by the Governor, 691.

Senate Bill No. 179—(Senator Leno, by request)

Senate Bill No. 179. A Bill for an Act to Amend and Reenact Subsection 3 of Section 43-0901 of the North Dakota Revised Code of 1943, Defining Motion Picture Machine Operator, and Declaring an Emergency.

Introduction, first reading and reference, 189.
 Referred to Committee on General Affairs.
 Reported back, (do pass) 270.

Second reading, 298.
To House, 307.
Returned to Senate, 550.
Enrolled, 579.
Signed by the President, 586.
Sent to the Governor, 628.
Approved by the Governor, 691.

Senate Bill No. 180—(Senators Flatt, Work and Spiekermeier)

Senate Bill No. 180. A Bill for an Act to Amend and Reenact Section 24-1205 of the North Dakota Revised Code of 1943, Relating to Signs and Billboards Along Highways.

Introduction, first reading and reference, 189.
Referred to Committee on State and Federal Government.
Re-referred, 378.
Reported back, 378, (amended) 449.
Amendments, 449.
Amendments adopted, 480.
Second reading, 496.
To House, 509.
Returned to Senate, (indefinitely postponed) 587.

Senate Bill No. 181—(Senators Day, Shure and Torno)

Senate Bill No. 181. A Bill for an Act to Amend and Reenact Sections 40-3503 and 40-3515 of the North Dakota Revised Code of 1943, Relating to the Issuance of Revenue Bonds by Municipalities Authorizing Municipalities and State Institutions to Enter Into Contracts With Other Municipalities and With Industrial Establishments Relative to Sewerage Facilities, and to Accept Loans or Grants From the Federal Government in Connection With Revenue-Producing Undertakings, and Providing for the Subordination of Revenue Bonds.

Introduction, first reading and reference, 189.
Referred to Committee on Political Subdivisions.
Reported back, (amended) 316.
Amendments, 316.
Amendments adopted, 336.
Second reading, 367.
To House, 383.
Returned to Senate, 574.
Enrolled, 599.
Signed by the President, 622.
Sent to the Governor, 731.

Senate Bill No. 182—(Senator Page)

Senate Bill No. 182. A Bill for an Act Relating to Income Tax Returns by Corporations; Restricting Expense Deductions for Income Tax Purposes by Corporations; Providing for the Checking of Income Tax Returns of Banks by the State Examiner; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading and reference, 190.
Referred to Committee on Industry and Business.
Reported back, (indefinitely postponed) 357.

Senate Bill No. 183—(Senator Streibel)

Senate Bill No. 183. A Bill for an Act Authorizing the Board of Administration to Convey and Release to the Baptist Old Peoples' Home, a North Dakota Corporation, a Certain Tract in the Southeast Corner of the Capitol Grounds.

Introduction, first reading and reference, 190.

Referred to Committee on State and Federal Government.

Re-referred, 298.

Reported back, (do pass) 270, (do pass) 332.

Amended on floor, 364.

Second reading, 363.

To House, 399.

Returned to Senate, 625.

Enrolled, 651.

Signed by the President, 665.

Sent to the Governor, 731.

Senate Bill No. 184—(Senators Olson of Barnes, Bilden, Reinke, Strand, Mehlhaff and Lichty)

Senate Bill No. 184. A Bill for an Act to Amend and Re-enact Sections 15-3911, 15-3914, 15-3915, 15-3917, 15-3924, 15-3927, 15-3928, 15-3929, 15-3933, 15-3937, 15-3939, 15-3940 and 15-3941 of the North Dakota Revised Code of 1943, Relating to the Teachers' Insurance and Retirement Fund, Assessments, Matching by School Districts and Educational Institutions, Eligibility for Membership, Annuities, Retirement, Military Service, Defining School "Year", Withdrawal From Fund, Options, and Death of Member.

Introduction, first reading and reference, 190.

Referred to Committee on Education.

Reported back, (amended) 472.

Amendments, 472.

Amendments adopted, 488.

Amended on floor, 502.

Second reading, 502.

To House, 509.

Returned to Senate, 626.

Enrolled, 669.

Signed by the President, 688.

Sent to the Governor, 731.

Senate Bill No. 185—(Senator Shure)

Senate Bill No. 185. A Bill for an Act to Repeal Section 19-0209 of the North Dakota Revised Code of 1943, Relating to the Labeling of Flour, and Declaring an Emergency.

Introduction, first reading and reference, 190.

Referred to Committee on State and Federal Government.

Reported back, (do pass) 449.

Second reading, 483.

To House, 490.

Returned to Senate, 588.

Enrolled, 637.

Signed by the President, 643.

Sent to the Governor, 731.

Senate Bill No. 186—(Senators Bridston, Duffy, Coghlan and Nordhougen)

Senate Bill No. 186. A Bill for an Act Creating the North Dakota Indian Affairs Commission, Prescribing

Duties, Making an Appropriation and Declaring an Emergency.

Introduction, first reading and reference, 190.
Referred to Committee on Appropriations.
Reported back, (do pass) 378.
Second reading, 403.
To House, 415.
Returned to Senate, 753.
Enrolled, 778.
Signed by the President, 797.
Sent to the Governor, 808.

Senate Bill No. 187—(Senators Flatt, Schrock and Spiekermeier)

Senate Bill No. 187. A Bill for an Act to Amend and Reenact Section 11-1923 of the North Dakota Revised Code of 1943, Relating to Fees Which May Be Charged by Coroners.

Introduction, first reading and reference, 195.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 270.
Second reading, 298.
To House, 308.
Returned to Senate, 625.
Enrolled, 651.
Signed by the President, 665.
Sent to the Governor, 731..

Senate Bill No. 188—(Senator Braun)

Senate Bill No. 188. A Bill for an Act to Amend Section 57-4101 by Creating Subsection 8, Amending and Reenacting Sections 57-4102, 57-4103, 57-4104, 57-4106, 57-4107, 57-4108, 57-4110, 57-4111, 57-4115, 57-4116, 57-4117, 57-4132 of the North Dakota Revised Code of 1943 and Sections 57-4809, 57-4810, 57-4811, and 57-4812 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Tax on Motor Vehicle Fuels and Repealing Sections 57-4105 and 57-4114 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 195.
Referred to Committee on State and Federal Government.
Reported back, (indefinitely postponed) 378.

Senate Bill No. 189—(Senator Duffy)

Senate Bill No. 189. A Bill for an Act Relating to the Registration or Transfer of Securities to or by Fiduciaries of Their Nominees.

Introduction, first reading and reference, 196.
Referred to Committee on Judiciary.
Reported back, (amended) 332.
Amendments, 332.
Amendments adopted, 360.
Second reading, 387.
To House, 399.
Returned to Senate, (indefinitely postponed) 574.

Senate Bill No. 190—(Committee on Agriculture)

Senate Bill No. 190. A Bill for an Act Defining Frozen Dairy Foods and Flavored Ices; Providing for the Licensing and Inspection of Manufacturers of Frozen Dairy Foods

and Flavored Ices; Providing for the Labeling of All Packages and Containers Containing Frozen Dairy Foods and Frozen Ices; Providing for the Inspection of Manufacturing Plants by the State Dairy Department, and Authorizing the State Dairy Department to Enforce the Provisions of This Act; Providing for the State Laboratories Department to Make All Chemical and Bacteriological Examinations and Analyses; and, Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

Introduction, first reading and reference, 196.

Referred to Committee on Agriculture.

Not to be printed, 249

Reported back, (indefinitely postponed) 316.

Senate Bill No. 191—(Senators Braun, Stucke, Shure, Wolf, Bridston and Spiekermeier)

Senate Bill No. 191. A Bill for an Act to Amend and Reenact Section 5-0304 of the North Dakota Revised Code of 1943 With Reference to Wholesale Liquor Licenses, and to Prohibit the Issuance of Wholesale Liquor Licenses to Persons or Partnerships Who Have Not Been Residents of North Dakota for a Period of Five Years, or to Corporations Unless All Officers and Directors and the Holders of Not Less than 75% of the Value of the Stock and 75% of the Voting Rights of the Corporation Have Been Residents of North Dakota for a Period of Five Years Excepting License Holders as of Date February 1, 1949, and Declaring an Emergency.

Introduction, first reading and reference, 196.

Referred to Committee on Political Subdivisions.

Reported back, (amended) 397.

Amendments, 397.

Amendments adopted, 414.

Amended on floor, 441.

Second reading, 441.

To House, 453.

Returned to Senate, 744.

Enrolled, 760.

Signed by the President, 797.

Sent to the Governor, 808.

Senate Bill No. 192—(Senator Duffy)

Senate Bill No. 192. A Bill for an Act to Amend and Reenact Section 5 of Chapter 256, Session Laws of 1947, Providing for the Suspension of Operators Licenses When Involved in Accidents Unless Security is Deposited, Authorizing the Highway Commissioner to Grant Additional Time.

Introduction, first reading and reference, 200.

Referred to Committee on Judiciary.

Reported back, (do pass) 235.

Second reading, 336.

To House, 359.

Returned to Senate, (amended) 625.

House amendments, 625.

Senate concurred, 633.

Final passage, 633.

Enrolled, 669.

Signed by the President, 688.

Sent to the Governor, 731.

Senate Bill No. 193—(Senator Rue)

Senate Bill No. 193. A Bill for an Act Providing for the Exemption of Certain Income From Taxation.

Introduction, first reading and reference, 200.

Referred to Committee on General Affairs.

Reported back, (indefinitely postponed) 270.

Senate Bill No. 194—(Senator Olson of Barnes)

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 15-4701 of the North Dakota Revised Code of 1943, Relating to Schools Free and Accessible, School Ages, and Age of Starting a Child in School.

Introduction, first reading and reference, 200.

• Referred to Committee on Education.

Reported back, (do pass) 292.

Second reading, 312.

To House, 318.

Returned to Senate, 625.

Enrolled, 651.

Signed by the President, 665.

Sent to the Governor, 731.

Senate Bill No. 195—(Senators Morgan and Duffy)

Senate Bill No. 195. A Bill for an Act to Provide for the Payment of a Deficit in the Expenses of District Judges.

Introduction, first reading and reference, 200.

Referred to Committee on Appropriations.

Reported back, (amended) 235.

Amendments, 235.

Amendments adopted, 253.

Second reading, 279.

To House, 289.

Returned to Senate, (amended) 648.

House amendments, 648.

Senate concurred, 656.

Final passage, 656.

Enrolled, 669.

Signed by the President, 688.

Sent to the Governor, 731.

Senate Bill No. 196—(Committee on Transportation)

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Section 39-0517 of the North Dakota Revised Code of 1943, Relating to Transfer of Title of Vehicle; Endorsement Required; Certificate of Title Delivered; New Certificate Obtained; Penalty.

Introduction, first reading and reference, 200.

Referred to Committee on Transportation.

Reported back, (do pass) 357.

Amended on floor, 388.

Second reading, 388.

To House, 399.

Returned to Senate, 574.

Enrolled, 599.

Signed by the President, 622.

Sent to the Governor, 731.

Senate Bill No. 197—(Committee on Transportation)

Senate Bill No. 197. A Bill for an Act Repealing Section 39-0515 of the North Dakota Revised Code of 1943 Relating to Registration Card to be Endorsed and Sent to Department Upon Transfer of Vehicle; Penalty.

Introduction, first reading and reference, 200.

Referred to Committee on Transportation.

Reported back, (do pass) 332.

Second reading, 364.

To House, 383.

Returned to Senate, 574.

Enrolled, 599.

Signed by the President, 622.

Sent to the Governor, 731.

Senate Bill No. 198—(Committee on Transportation)

Senate Bill No. 198. A Bill for an Act to Amend and Re-enact Sub-Section 1, Section 39-0401 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Definition of Dealer.

Introduction, first reading and reference, 201.

Referred to Committee on Industry and Business.

Re-referred to Committee on Transportation, 271.

Reported back, (re-referred) 271, (do pass) 357.

Amended on floor, 388.

Second reading, 388.

To House, 399.

Returned to Senate, 744.

Enrolled, 761.

Signed by the President, 797.

Sent to the Governor, 808.

Senate Bill No. 199—(Committee on Transportation)

Senate Bill No. 199. A Bill for an Act to Amend and Re-enact Section 39-0462 of the North Dakota Revised Code of 1943, Relating to Filing of List of Used Cars and Fees.

Introduction, first reading and reference, 201.

Referred to Committee on Business and Industry.

Re-referred to Committee on Transportation, 271.

Reported back, (re-referred) 271, (indefinitely postponed) 332.

Senate Bill No. 200—(Committee on Transportation)

Senate Bill No. 200. A Bill for an Act to Amend and Re-enact Section 39-0510 of the North Dakota Revised Code of 1943, Relating to Registration Card; Issuance, Contents; Signing of.

Introduction, first reading and reference, 201.

Referred to Committee on Judiciary.

Reported back, (do pass) 251.

Second reading, 280.

To House, 289.

Returned to Senate, 574.

Enrolled, 599.

Signed by the President, 622.

Sent to the Governor, 731.

Senate Bill No. 201—(Committee on Transportation)

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Section 39-0418 of the North Dakota Revised Code of 1943, Relating to Penalty for Delinquent Registration Fees; Exception; and Liability of Dealer for Penalty.

Introduction, first reading and reference, 201.

Referred to Committee on Judiciary.

Reported back, (indefinitely postponed) 251.

Senate Bill No. 202—(Committee on Transportation)

Senate Bill No. 202. A Bill for an Act to Amend and Re-enact Section 39-0417 of the North Dakota Revised Code of 1943, Relating to When Registration Fees Become Due and Delinquent.

Introduction, first reading and reference, 201.

Referred to Committee on Judiciary.

Reported back, (indefinitely postponed) 252.

Reconsidered, 471.

Amended on floor, 481.

Second reading, (lost) 481.

Senate Bill No. 203—(Committee on Transportation)

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 39-0518 of the North Dakota Revised Code of 1943, Relating to Forwarding Certificate of Title to Department Not Required When Transferee is a Dealer; Exception.

Introduction, first reading and reference, 201.

Referred to Committee on Business and Industry.

Re-referred to Committee on Transportation, 271.

Reported back, (re-referred) 271, (amended) 432.

Amendments, 432.

Amendments adopted, 452.

Second reading, 483.

To House, 490.

Returned to Senate, 753.

Enrolled, 778.

Signed by the President, 797.

Sent to the Governor, 808.

Senate Bill No. 204—(Committee on Transportation)

Senate Bill No. 204. A Bill for an Act Amending and Reenacting Section 39-0516 of the North Dakota Revised Code of 1943, Pertaining to Titles to Motor Vehicles, and Declaring an Emergency.

Introduction, first reading and reference, 201.*

Referred to Committee on Judiciary.

Reported back, (amended) 332.

Amendments, 332.

Amendments adopted, 360.

Second reading, 389.

To House, 399.

Returned to Senate, (indefinitely postponed) 744.

Senate Bill No. 205—(Committee on Transportation)

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Section 39-0411 of the North Dakota Revised Code of 1943, Relating to Number Plates Furnished by Department.

Introduction, first reading and reference, 202.
Referred to Committee on Transportation.
Reported back, (indefinitely postponed) 333.

Senate Bill No. 206—(Senator Albers)

Senate Bill No. 206. A Bill for an Act to Amend and Re-enact Subsection 3 of Section 11-1010 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Salaries and Expense Allowances of County Officers.

Introduction, first reading and reference, 202.
Referred to Committee on Political Subdivisions.
Reported back, (indefinitely postponed) 316.

Senate Bill No. 207—(Senator Solberg)

Senate Bill No. 207. A Bill for an Act Declaring the Effect of a Registered Brand or Mark on Livestock; Requiring a Bill of Sale on the Sale of Branded or Marked Livestock; Declaring the Effect Thereof; Providing a Penalty and Repealing Section 36-0907 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 202.
Referred to Committee on Agriculture.
Reported back, (do pass) 398.
Second reading, 427.
To House, 453.
Returned to Senate, (amended) 694.
House amendments, 694.
Conference Committee, 698, 728.
Conference Committee Report, 728, 737, (adopted) 738.
Conference Committee amendment, 737, (adopted) 738.
Final passage, 738.
Enrolled, 760.
Signed by the President, 797.
Sent to the Governor, 808.

Senate Bill No. 208—(Senators Lichty, Torno, Duffy and Tuff)

Senate Bill No. 208. A Bill for an Act Providing an Increase in Compensation to County Commissioners During the Calendar Years 1949, 1950, 1951, and 1952, Making Such Increase Retroactive to January 1, 1949, and Declaring an Emergency.

Introduction, first reading and reference, 202.
Referred to Committee on Judiciary.
Reported back, (amended) 252.
Amendments, 252.
Amendments adopted, 272.
Second reading, 299.
To House, 308.
Returned to Senate, 648.
Enrolled, 669.
Signed by the President, 688.
Sent to the Governor, 731.

Senate Bill No. 209—(Senator Day, by request)

Senate Bill No. 209. A Bill for an Act Relating to Probate Proceeding and Providing for the Distribution of Estates

When an Interested Party Has Died and No Probate Proceedings Have Been Had Upon the Estate of Such Interested Party.

Introduction, first reading and reference, 202.
 Referred to Committee on Judiciary.
 Reported back, (amended) 333.
 Amendments, 333.
 Amendments adopted, 360.
 Second reading, 389.
 To House, 399.
 Returned to Senate, 648.
 Enrolled, 669.
 Signed by the President, 688.
 Sent to the Governor, 731.

Senate Bill No. 210—(Senators Stucke, Mehlhaff, Solberg and Day)

Senate Bill No. 210. A Bill for an Act Requiring the Hiring of Specialists in the Field of Mental Ills for the Treatment of Patients at the State Hospital for the Insane at Jamestown and for the Treatment of Persons not Committed.

Introduction, first reading and reference, 202.
 Referred to Committee on State and Federal Government.
 Reported back, (do pass) 271
 Second reading, 299.
 To House, 308.
 Returned to Senate, 574.
 Enrolled, 599.
 Signed by the President, 622.
 Sent to the Governor, 731.

Senate Bill No. 211—(Senators Day and Duffy, by request)

Senate Bill No. 211. A Bill for an Act to Amend and Re-enact Section 29-2402 of the North Dakota Revised Code of 1943, Relating to Causes for Granting New Trial, and Time of Making Motion on Cause No. 8 in This Section.

Introduction, first reading and reference, 202.
 Referred to Committee on Judiciary.
 Reported back, (amended) 379.
 Amendments, 379.
 Amendments adopted, 400.
 Second reading, 427.
 To House, 453.
 Returned to Senate, 625.
 Enrolled, 652.
 Signed by the President, 665.
 Sent to the Governor, 731.

Senate Bill No. 212—(Senators Day and Duffy, by request)

Senate Bill No. 212. A Bill for an Act to Amend and Re-enact Subsection 8 of Section 28-1902 of the North Dakota Revised Code of 1943, Relating to Causes for New Trial.

Introduction, first reading and reference, 202.
 Referred to Committee on Judiciary.
 Reported back, (amended) 379.
 Amendments, 379.
 Amendments, adopted, 400.

Second reading, 428.
To House, 453.
Returned to Senate, 625.
Enrolled, 652.
Signed by the President, 665.
Sent to the Governor, 731.

Senate Bill No. 213—(Committee on Appropriations)

Senate Bill No. 213. A Bill for an Act Making an Appropriation to Pay Administration Expenses in Connection With the Payment of Adjusted Compensation to North Dakota Veterans of World War II and Declaring an Emergency.

Introduction, first reading and reference, 203.
Referred to Committee on Appropriations.
Reported back, (amended) 358.
Amendments, 358.
Amendments adopted, 383.
Second reading, 404.
To House, 415.
Returned to Senate, 625.
Enrolled, 652.
Signed by the President, 665.
Sent to the Governor, 731.

Senate Bill No. 214—(Senator Day)

Senate Bill No. 214. A Bill for an Act Providing for a Temporary Increase in Income Taxes, to Remain in Effect Until the Bonds Issued in Connection With the Adjusted Compensation to Veterans of World War II Have Been Paid.

Introduction, first reading and reference, 203.
Referred to Committee on State and Federal Government.
Reported back, (amended) 449.
Amendments, 449.
Amendments adopted, 480.
Second reading, 497.
To House, 515.
Returned to Senate, 744.
Enrolled, 761.
Signed by the President, 797.
Sent to the Governor, 808.

Senate Bill No. 215—(Senator Rue, by request)

Senate Bill No. 215. A Bill for an Act Amending and Re-enacting Section 40-2305 of the North Dakota Revised Code of 1943, Relating to the Levy of Assessments to Pay the Cost of Special Improvements, to Define the Items of Cost to be Assessed and Permit Such Assessment Prior to Completion of the Work, and Declaring an Emergency.

Introduction, first reading and reference, 203.
Referred to Committee on Political Subdivisions.
Reported back, (do pass) 292.
Second reading, 342.
To House, 359.
Returned to Senate, 574.
Enrolled, 599.
Signed by the President, 622.
Sent to the Governor, 731.

Senate Bill No. 216—(Senator Day, by request)

Senate Bill No. 216. A Bill for an Act to Amend and Re-enact Section 12-1714 of the 1943 Revised Code, for the State of North Dakota, Prohibiting the Buying of Pretended Titles and Making the Buying and Selling of the Same or the Bringing of an Action Upon an Instrument Conveying Such Title a Misdemeanor, Providing a Penalty Therefor, and Declaring an Emergency.

Introduction, first reading and reference, 203.

Referred to Committee on Judiciary.

Reported back, (indefinitely postponed) 450.

Senate Bill No. 217—(Senator Brant)

Senate Bill No. 217. A Bill for an Act to Amend and Re-enact Section 35-2013 of the North Dakota Revised Code of 1943, Relating to House Mover's Liens.

Introduction, first reading and reference, 203.

Referred to Committee on State and Federal Government.

Reported back, (do pass) 334.

Amended on floor, 385.

Second reading, 385.

To House, 399.

Returned to Senate, 625.

Enrolled, 652.

Signed by the President, 665.

Sent to the Governor, 731.

Senate Bill No. 218—(Committee on Finance and Taxation)

Senate Bill No. 218. A Bill for an Act Imposing Separate and Additional Taxes on the Sale of Liquor, Providing for Collection Thereof, Providing a Penalty for Violation and Declaring an Emergency.

Introduction, first reading and reference, 203.

Referred to Committee on Finance and Taxation.

Reported back, (amended) 252.

Amendments, 252.

Amendments adopted, 272.

Second reading, 300.

To House, 308.

Returned to Senate, (amended) 788.

House amendments, 788.

Senate concurred, 789.

Final passage, 789.

Enrolled, 804.

Signed by the President, 805.

Sent to the Governor, 808.

Senate Bill No. 219—(Committee on Finance and Taxation)

Senate Bill No. 219. A Bill for an Act Imposing a Separate Additional Tax on Sale of Beer, Providing for Collection Thereof into the General Fund, Providing a Penalty for Violation Thereof and Declaring an Emergency.

Introduction, first reading and reference, 203.

Referred to Committee on Finance and Taxation.

Reported back, (amended) 252.

Amendments, 252.

Amendments adopted, 272.

House amendments, 752.
Second reading, 301.
To House, 308.
Returned to Senate, (amended) 788.
House amendments, 788.
Senate concurred, 790.
Lost, 790, reconsidered, 790.
Final passage, 790.
Enrolled, 804.
Signed by the President, 805.
Sent to the Governor, 808.

Senate Bill No. 220—(Committee on Finance and Taxation)

Senate Bill No. 220. A Bill for an Act Imposing a Separate Additional Tax on Cigarettes, Providing for Collection Thereof into the General Fund, Providing a Penalty for Violation and Declaring an Emergency.

Introduction, first reading and reference, 204.
Referred to Committee on Finance and Taxation.
Reported back, (amended) 252.
Amendments, 252.
Amendments adopted, 272.
Second reading, 301.
To House, 308.
Returned to Senate, 788.
Enrolled, 804.
Signed by the President, 805.
Sent to the Governor, 808.

Senate Bill No. 221—(Committee on Finance and Taxation)

Senate Bill No. 221. A Bill for an Act Appropriating Surplus Funds of the Bank of North Dakota to the Sinking Fund for General Obligation Bonds, Veterans of World War II Adjusted Compensation Series, and Declaring an Emergency.

Introduction, first reading and reference, 204.
Referred to Committee on Appropriations.
Reported back, (do pass) 236.
Amended on floor, 259, 273.
Other action, 259.
Second reading, 273.
To House, 289.
Returned to Senate, (amended) 752.
Conference Committee, 764.
Conference Committee Report, 772, (adopted) 773.
Enrolled, 778.
Signed by the President, 797.
Sent to the Governor, 808.

Senate Bill No. 222—(Committee on Finance and Taxation)

Senate Bill No. 222. A Bill for an Act Appropriating Surplus Funds of the North Dakota Mill and Elevator Association to the Sinking Fund for General Obligation Bonds, Veterans of World War II Adjusted Compensation Series, and Declaring an Emergency.

Introduction, first reading and reference, 204.
Referred to Committee on Appropriations.
Reported back, (do pass) 236.
Second reading, 259.

To House, 262.
 Returned to Senate, 753.
 Enrolled, 778.
 Signed by the President, 797.
 Sent to the Governor, 808.

Senate Bill No. 223—(Senators Stucke, Nordhougen, Duffy, Kamrath, Coghlan, Nelson of McKenzie, Rue, Albers and Bridston)

Senate Bill No. 223. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1949, and Ending June 30, 1951, for the Disbursement by the Public Welfare Board of North Dakota to Counties in Which are Located Indian Reservations to Provide for the Assistance of Destitute and Necessitous Indians on Indian Reservations Within the State of North Dakota.

Introduction, first reading and reference, 204.
 Referred to Committee on Appropriations.
 Reported back, (amended) 379.
 Amendments, 379.
 Amendments adopted, 400.
 Second reading, 428.
 To House, 453.
 Returned to Senate, 753.
 Enrolled, 778.
 Signed by the President, 797.
 Sent to the Governor, 808.

Senate Bill No. 224—(Senators Reinke and Spiekermeier)

Senate Bill No. 224. A Bill for an Act to Amend and Re-enact Section 60-0217 of the North Dakota Revised Code of 1943, Relating to Warehouse and Storage Grain Contracts.

Introduction, first reading and reference, 204.
 Referred to Committee on Business and Industry.
 Reported back, (do pass) 271.
 Second reading, 321.
 To House, 334.
 Returned to Senate, (indefinitely postponed) 587.

Senate Bill No. 225—(Senators Wahlund, Braun, Day, Spiekermeier and Reinke)

Senate Bill No. 225. A Bill for an Act to Amend and Re-enact Subsection 1 of Section 61-2133 and Section 61-2148 of the North Dakota Revised Code of 1943 and Sections 61-2135 and 61-2142 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Drainage Projects.

Introduction, first reading and reference, 204.
 Referred to Committee on Natural Resources.
 Reported back, (amended) 475.
 Amendments, 475.
 Amendments adopted, 488.
 Second reading, 500.
 To House, 509.
 Returned to Senate, (indefinitely postponed) 574; 744; (amended) 770.
 House requests return, 648.
 Returned to House, 653.
 House amendments, 770.

Senate concurred, 771.
Final passage, 771.
Enrolled, 778.
Signed by the President, 797.
Sent to the Governor, 808.

Senate Bill No. 226—(Senators Stucke, Bilden and Mehlhaff)

Senate Bill No. 226. A Bill for an Act to Regulate the Handling, Sale, and Distribution of Barbiturates.

Introduction, first reading and reference, 204.
Referred to Committee on Social Welfare.
Reported back, (do pass) 379.
Second reading, 404.
To House, 415.
Returned to Senate, 626.
House amendments, 626.
Senate concurred, 633.
Final passage, 633.
Enrolled, 669.
Signed by the President, 688.
Sent to the Governor, 731.

Senate Bill No. 227—(Senator Page)

Senate Bill No. 227. A Bill for an Act Pertaining to Licenses to Practice Trades and Professions.

Introduction, first reading and reference, 204.
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Senate Bill No. 229. A Bill for an Act to Amend and Re-enact Section 16-0107 of the 1947 Supplement to the North Dakota Revised Code of 1943 and Sections 16-0301, 16-0804 and 16-1702 of the North Dakota Revised Code of 1943, Relating to Election Laws.

Introduction, first reading and reference, 205.
Referred to Committee on Political Subdivisions.

Reported back, (do pass) 292.
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Senate Bill No. 230. A Bill for an Act Making It Unlawful for Any Employer to Discriminate Because of Race, Color or Religion.

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 Reported back, (do pass) 432.
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 Referred to Committee on State and Federal Government.
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Referred to Committee on Appropriations.

Reported back, (do pass) 478.

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Introduction, first reading and reference, 420.

Referred to Committee on State and Federal Government.

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Referred to Committee on Appropriations.

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Introduction, first reading and reference, 488.

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House Bill No. 1—(Received from House, 175)

House Bill No. 1. A Bill for an Act to Amend and Re-enact Section 24-02192 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Reconstruction Work on Secondary State Highways and Declaring an Emergency.

First reading and reference, 191.

Referred to Committee on Transportation.

Reported back, (do pass) 432.

Second reading, 510.

To House, 529.

Signed by the President, 586.

Returned to the House, 597.

House Bill No. 2—(Received from House, 128)

House Bill No. 2. A Bill for an Act to Amend and Re-enact Chapter 11-31 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to County Highway Engineers; Providing for Election for Creation and Termination of Office of County Highway Engineer, and Declaring an Emergency.

First reading and reference, 134.

Referred to Committee on State and Federal Government.

Reported back, (do pass) 557.

Second reading, 581.

To House, 598.

Signed by the President, 732.

Returned to the House, 733.

House Bill No. 5—(Received from House, 503)

House Bill No. 5. A Bill for an Act Providing for Payments from the State Equalization Fund to the County Tuition Funds and for High School Tuition; Providing for Determination of Sums To Be Paid and Manner of Payment; Amending and Reenacting Subsection 1 of Section 15-4007 and Section 15-4014 of the 1947 Supplement to the North Dakota Revised Code of 1943, and Subsection 1 of Section 15-4008 and Sections 15-4013, 15-4015, 15-4019, 15-4020, 15-4021 and 15-4024 of the North Dakota Revised Code of 1943 and Repealing Sections 15-4011, 15-4012 and 15-4018 of the 1947 Supplement to the North Dakota Revised Code of 1943 and Section 15-4017 of the North Dakota Revised Code of 1943.

First reading and reference, 504.

Referred to Committee on Education.

Reported back, (amended) 599.

Amendments, 599.

Amendments adopted, 632.

Second reading, 684.

To House, 696.

Signed by the President, 795.

Returned to House, 798.

House Bill No. 6—(Received from House, 447)

House Bill No. 6. A Bill for an Act to Amend and Re-enact Sections 40-4101 of the 1947 Supplement of the North

Dakota Revised Code of 1943, and 40-4102, 40-4103 and 40-4104 of the North Dakota Revised Code of 1943, Relating to Boards of Budget Review.

First reading and reference, 467.
Referred to Committee on Finance and Taxation.
Reported back, (do pass) 540.
Second reading, 569.
To House, 584.
Signed by the President, 644.
Returned to House, 733.

House Bill No. 7—(Received from House, 64)

House Bill No. 7. A Bill for an Act to Amend and Re-enact Section 16-0416 of the North Dakota Revised Code of 1943, Relating to the Primary Election Ballot.

First reading and reference, 76.
Referred to Committee on General Affairs.
Reported back, (do pass) 139.
Second reading, 154.
To House, 158.
Signed by the President, 185.
Returned to House, 186.

House Bill No. 8—(Received from House, 93)

House Bill No. 8. A Bill for an Act to Amend and Re-enact Section 23-0604 of the North Dakota Revised Code of 1943, Relating to the Time Within Which Burial Must Be Made.

First reading and reference, 102.
Referred to Committee on Social Welfare.
Reported back, (do pass) 194.
Second reading, 225.
To House, 237.
Signed by the President, 303.
Returned to House, 308.

House Bill No. 9—(Received from House, 263)

House Bill No. 9. A Bill for an Act to Amend and Re-enact Section 43-1012 of the North Dakota Revised Code of 1943, Relating to Examination for License to Practice Embalming or Preparing Dead Human Bodies for Burial or Shipment.

First reading and reference, 281.
Referred to Committee on Social Welfare.
Reported back, (do pass) 516.
Second reading, 536.
To House, 546.
Signed by the President, 622.
Returned to House, 623.

House Bill No. 10—(Received from House, 175)

House Bill No. 10. A Bill for an Act to Amend and Re-enact Sections 40-2212, 40-2215, 40-2219, 40-2225 and 40-2226 of the North Dakota Revised Code of 1943, Relating to Plans and Specifications and Estimates for Special Improvements, Call for Bids, Contents, and Advertising for

Special Improvements, Opening of Bids for Same, and Petition by Property Owners for Different Kinds of Paving Materials in Municipalities.

First reading and reference, 191.
Referred to Committee on Political Subdivisions.
Reported back, (do pass) 558.
Second reading, 582.
To House, 598.
Signed by President, 688.
Returned to House, 733.

House Bill No. 11—(Received from House, 158)

House Bill No. 11. A Bill for an Act to Amend and Re-enact Section 40-2201 of the 1947 Supplement to the North Dakota Revised Code of 1943 and Sections 40-2208 and 40-2209 of the North Dakota Revised Code of 1943, Relating to Defraying Expense of Improvements by Special Assessments, Creation of Improvement Districts, Size and Form Thereof, and Regulations Governing the Same.

First reading and reference, 172.
Referred to Committee on Political Subdivisions.
Reported back, (do pass) 221.
Second reading, 242.
To House, 254.
Signed by the President, 303.
Returned to House, 308.

House Bill No. 12—(Received from House, 144)

House Bill No. 12. A Bill for an Act Defining Residential Property, Block of Pavement, Residential Block, and Residential Paving Project, Providing for the Establishment of Standard Width of Paving, Permitting Cities to Pay Cost of Excess Width of Paving, Providing for Protests to Bar Improvements, Providing the Special Assessment Procedure To Be Followed, and Declaring an Emergency.

First reading and reference, 172.
Referred to Committee on Political Subdivisions.
Reported back, (do pass) 221.
Amended on floor, 243.
Second reading, 242.
To House, 254.
Signed by the President, 346.
Returned to House, 360.

House Bill No. 13—(Received from House, 144)

House Bill No. 13. A Bill for an Act to Amend and Re-enact Subsection 2 of Section 21-0306 of the 1947 Supplement to the North Dakota Revised Code of 1943 and Subsection 3 of Section 21-0306 of the North Dakota Revised Code of 1943, Relating to Purposes and Specific Limitations of Bond Issues in Cities and Villages.

First reading and reference, 172.
Referred to Committee on Finance and Taxation.
Reported back, (amended) 317.
Amendments, 317.
Amendments adopted, 336.

Second reading, 370.
To House, 383.
Signed by the President, 508.
Returned to House, 509.

House Bill No. 14—(Received from House, 158)

House Bill No. 14. A Bill for an Act to Amend and Re-enact Section 40-3502 of the North Dakota Revised Code of 1943, Relating to Purposes for Which Municipalities May Issue Revenue Bonds.

First reading and reference, 172.
Referred to Committee on Political Subdivisions.
Reported back, (do pass) 236.
Second reading, 284.
To House, 289.
Signed by the President, 327.
Returned to House, 335.

House Bill No. 16—(Received from House, 218)

House Bill No. 16. A Bill for an Act to Provide for Tax Levy for Airport Purposes in Cities.

First reading and reference, 241.
Referred to Committee on Finance and Taxation.
Reported back, (do pass) 317.
Second reading, 344.
To House, 359.
Signed by the President, 412.
Returned to House, 415.

House Bill No. 20—(Received from House, 158)

House Bill No. 20. A Bill for an Act to Amend and Re-enact Section 57-5005 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Refund of Motor Vehicle Fuel Taxes.

First reading and reference, 172.
Referred to Committee on Transportation.
Re-referred, 249.
Reported back, (indefinitely postponed) 221, (indefinitely postponed) 334.
Reconsidered, 249.
Returned to House, 383.

House Bill No. 21—(Received from House, 144)

House Bill No. 21. A Bill for an Act to Amend and Re-enact Section 57-3204 of the North Dakota Revised Code of 1943, Relating to Allocation of Taxes Imposed Upon Car Line, Express and Air Transportation Companies.

First reading and reference, 172.
Referred to Committee on Finance and Taxation.
Re-referred, 512.
Reported back, (do pass) 450, (amended) 628.
Amendments, 628.
Amendments adopted, 652.
Amended on floor, 686.
Second reading, 686.
To House, 696.
Signed by the President, 795.
Returned to House, 798.

House Bill No. 22—(Received from House, 144)

House Bill No. 22. A Bill for an Act to Amend and Re-enact Sections 40-4003, 40-4005, 40-4021, 40-1604 and 57-1527 of the North Dakota Revised Code of 1943, and to Establish the Period from January first Through December Thirty-first as the Fiscal Year for Municipalities; to Permit a Levy of Not to Exceed One Hundred Fifty Percent of That Permitted by Section 57-1508 of the North Dakota Revised Code of 1943, as Amended, for Eighteen Month Period Commencing July 1, 1949, and Ending December 31, 1950; to Provide for the Matters Which Must Be Shown in the Preliminary Budget Statement of Municipalities; to Eliminate the Interim Fund for Municipalities.

First reading and reference, 172.

Referred to Committee on Finance and Taxation.

Reported back, (indefinitely postponed) 451.

Returned to House, 490.

House Bill No. 23—(Received from House, 158)

House Bill No. 23. A Bill for an Act to Amend and Re-enact Sections 40-4005, 40-4008 and 40-4021 of the North Dakota Revised Code of 1943, Relating to Municipal Budgets.

First reading and reference, 173.

Referred to Committee on Political Subdivisions.

Re-referred to Committee on Finance and Taxation, 236.

Reported back, (do pass) 451.

Second reading, 512.

To House, 529.

Signed by the President, 586.

Returned to House, 597.

House Bill No. 26—(Received from House, 158)

House Bill No. 26. A Bill for an Act to Amend and Re-enact Sections 6-0351, 6-0352, 6-0353, 6-0354, 6-0356, 6-0357 and 6-0358 of the North Dakota Revised Code of 1943, Relating to Borrowing, Rediscounting and Pledging of Assets by State Banking Association; Providing for Foreclosures and Prescribing Penalties.

First reading and reference, 173.

Referred to Committee on Industry and Business.

Reported back, (amended) 516.

Amendments, 516.

Amendments adopted, 532.

Second reading, 551.

To House, 584.

Signed by the President, 732.

Returned to the House, 733.

House Bill No. 27—(Received from House, 104)

House Bill No. 27. A Bill for an Act to Amend and Re-enact Sections 44-0804 and 44-0805 of the North Dakota Revised Code of 1943, Relating to Expenses Allowed Public Officers and the Penalty for a False Claim and Declaring an Emergency.

First reading and reference, 125.

Referred to Committee on State and Federal Government.

Reported back, (do pass) 194.

Second reading, 226.
To House, 237.
Signed by the President, 303.
Returned to House, 308.

House Bill No. 28—(Received from House, 68)

House Bill No. 28. A Bill for an Act to Amend and Re-enact 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.

First reading and reference, 81.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 194.
Second reading, 226, 285.
Reconsidered, 232.
To House, 289.
Signed by the President, 327.
Returned to House, 335.

House Bill No. 29—(Received from House, 68)

House Bill No. 29. A Bill for an Act to Amend and Re-enact Section 54-1404 of the North Dakota Revised Code of 1943, Relating to Claims Against State Filed with State Auditing Board and Declaring an Emergency.

First reading and reference, 81.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 194.
Second reading, 227.
To House, 237.
Signed by the President, 303.
Returned to House, 308.

House Bill No. 30—(Received from House, 104)

House Bill No. 30. A Bill for an Act to Amend and Re-enact Section 40-0507 of the North Dakota Revised Code of 1943, Relating to Fines and Penalties for Violation of Village By-laws or Ordinances.

First reading and reference, 125.
Referred to Committee on Judiciary.
Reported back, (amended) 149.
Amendments, 149.
Amendments adopted, 161.
Second reading, 182.
To House, 186.
Requested returned to Senate, 206.
Returned to Senate, 218.
House concurred to Senate amendment, 243.
Signed by President, 303.
Returned to House, 308.

House Bill No. 31—(Received from House, 158)

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 52-0406 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Rate of Contributions Made by Employers to Unemployment Compensation Fund.

First reading and reference, 173.
Referred to Committee on Labor Relations.

Reported back, (do pass) 359.
Second reading, 392.
To House, 399.
Signed by the President, 508.
Returned to House, 509.

House Bill No. 32—(Received from House, 175)

House Bill No. 32. A Bill for an Act to Amend and Re-enact Sections 52-0909, 52-0910 and 52-0921 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Taxes Levied Under the Old Age Survivor Insurance System and Refunds Thereof.

First reading and reference, 191.
Referred to Committee on Finance and Taxation.
Reported back, (amended) 540.
Amendments, 540.
Amendments adopted, 567.
Second reading, 583.
To House, 598.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 35—(Received from House, 192)

House Bill No. 35. A Bill for an Act to License, Regulate and Supervise the Licensing and Inspection of Locker Plants for Storage of Frozen Food in Individual Lockers; Defining the Powers and Duties of the State Laboratories Department Administering This Act; Providing Fees for Licenses and Providing for a Penalty.

First reading and reference, 215.
Referred to Committee on State and Federal Government.
Reported back, (indefinitely postponed) 292.
Reconsidered, 310.
Re-referred, 310.
Reported back, (indefinitely postponed) 491.
Returned to House, 530.

House Bill No. 36—(Received from House, 93)

House Bill No. 36. A Bill for an Act to Amend and Re-enact Section 19-1305 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to the Regulating of the Sale of Commercial Feeding Stuffs in Small Packages.

First reading and reference, 102.
Referred to Committee on Agriculture.
Reported back, (do pass) 222.
Second reading, 245.
To House, 262.
Signed by the President, 314.
Returned to House, 318.

House Bill No. 37—(Received from House, 175)

House Bill No. 37. A Bill for an Act to Amend and Re-enact Sections 19-1603 of the North Dakota Revised Code of 1943 and 19-1604 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Anti-freeze.

First reading and reference, 191.
Referred to Committee on State and Federal Government.

Reported back, (amended) 491.
Amendments, 491.
Amendments adopted, 518.
Second reading, 537.
To House, 546.
Signed by the President, 622.
Returned to House, 623.

House Bill No. 38—(Received from House, 128)

House Bill No. 88. A Bill for an Act to Regulate the Sale and Distribution of Mixed Fertilizers and Fertilizer Materials and Repealing Chapter 19-15 of the North Dakota Revised Code of 1943.

First reading and reference, 134.
Referred to Committee on Agriculture.
Reported back, (do pass) 222.
Second reading, 246.
To House, 262.
Signed by the President, 314.
Returned to House, 318.

House Bill No. 39—(Received from House, 68)

House Bill No. 39. A Bill for an Act to Amend and Re-enact Section 36-0914 of the North Dakota Revised Code of 1943, Relating to the Issuance of Brand Books and Declaring an Emergency.

First reading and reference, 81.
Referred to Committee on Agriculture.
Reported back, (amended) 222.
Amendments, 222.
Amendments adopted, 237.
Second reading, 285.
To House, 289.
Signed by the President, 327.
Returned to House, 335.

House Bill No. 40—(Received from House, 158)

House Bill No. 40. A Bill for an Act to Amend and Re-enact Section 39-1105 of the North Dakota Revised Code of 1943, Relating to Rear Lamps, Reflectors, and Reflecting Material on Vehicles.

First reading and reference, 173.
Referred to Committee on Transportation.
Reported back, (do pass) 222.
Second reading, 246.
To House, 262.
Signed by the President, 314.
Returned to House, 318.

House Bill No. 43—(Received from House, 64)

House Bill No. 43. A Bill for an Act to Amend and Re-enact Section 4-1013 of the 1947 Supplement to the North Dakota Revised Code of 1943, Providing for Grade Inspection of Potatoes; Prescribing Fees and Declaring an Emergency.

First reading and reference, 76.
Referred to Committee on Agriculture.
Re-referred, 222.

Reported back, (amended) 432.
Amendments, 432.
Amendments adopted, 452.
Second reading, 513.
To House, 529, 548.
Senate requests return, 541.
Returned to Senate, 543.
Signed by the President, 622.
Returned to House, 623.

House Bill No. 44—(Received from House, 206)

House Bill No. 44. A Bill for an Act to Amend and Re-enact Sections 10-0901, 10-0902 and 10-0903 of the North Dakota Revised Code of 1943, Pertaining to the Incorporation of Private Agencies Organized for the Purpose of Receiving Children for Care and Placing Children for Adoption and Providing for Powers of Agencies so Incorporated.

First reading and reference, 224.
Referred to Committee on Social Welfare.
Re-referred to Committee on Judiciary, 429.
Reported back, (do pass) 398, (indefinitely postponed) 669.
Returned to House, 696.

House Bill No. 45—(Received from House, 206)

House Bill No. 45. A Bill for an Act to Amend and Re-enact Sections 50-1202, 50-1203, 50-1205, 50-1206, 50-1207, 50-1208, 50-1210, 50-1211, 50-1212, 50-1213, 50-1214, 50-1215, 50-1216 and 50-1217 of the North Dakota Revised Code of 1943, Relating to Child Placing Agencies.

First reading and reference, 224.
Referred to Committee on Social Welfare.
Re-referred to Committee on Judiciary, 429.
Reported back, (do pass) 398, (indefinitely postponed) 669.
Returned to House, 696.

House Bill No. 46—(Received from House, 289)

House Bill No. 46. A Bill for an Act to Provide Facilities for the Peaceful Settlement of Industrial Disputes Through Mediation and Arbitration; Creating a Division of Mediation; Providing for Arbitration, and Providing for Appropriation.

First reading and reference, 302.
Referred to Committee on Labor Relations.
Re-referred to Committee on Appropriations, 344.
Reported back, (do pass) 317, (indefinitely postponed) 530.
Returned to House, 546.

House Bill No. 47—(Received from House, 128)

House Bill No. 47. A Bill for an Act to Amend and Re-enact Sections 57-3602, 57-3606, Subsections 2 and 3 of Section 57-3607, 57-3608, 57-3611, 57-3613 and Subsection 2 of Section 57-3620 of the North Dakota Revised Code of 1943, Relating to Tax on Cigarettes and Snuff and Removing the Tax on Cigarette Papers and Declaring an Emergency.

First reading and reference, 135.
Referred to Committee on Finance and Taxation.
Reported back (do pass) 139.

Second reading, 155.
To House, 158.
Signed by the President, 185.
Returned to House, 186.

House Bill No. 48—(Received from House, 128)

House Bill No. 48. A Bill for an Act to Amend and Re-enact Sections 15-2509 of the 1947 Supplement to the North Dakota Revised Code of 1943 and 15-2511 of the North Dakota Revised Code of 1943, Relating to Powers of School Districts to Admit Pupils from Other Districts and Providing for Payment of Tuition.

First reading and reference, 135.
Referred to Committee on Education.
Reported back, (do pass) 194.
Second reading, 227.
To House, 237.
Signed by the President, 303.
Returned to House, 308.

House Bill No. 50—(Received from House, 158)

House Bill No. 50. A Bill for an Act to Amend and Re-enact Section 39-1106 of the North Dakota Revised Code of 1943, Relating to the Clearance Lamps Required on Certain Motor Vehicles.

First reading and reference, 173.
Referred to Committee on Transportation.
Reported back, (do pass) 222.
Second reading, 247.
To House, 262.
Signed by the President, 314.
Returned to House, 318.

House Bill No. 51—(Received from House, 175)

House Bill No. 51. A Bill for an Act Regulating the Carrying and Displaying of Warning Devices by Certain Vehicles and Prescribing a Penalty.

First reading and reference, 191.
Referred to Committee on Transportation.
Reported back, (indefinitely postponed) 558.
Returned to House, 584.

House Bill No. 52—(Received from House, 245)

House Bill No. 52. A Bill for an Act Regulating Vehicles Transporting Explosives on the Highways of This State and Prescribing a Penalty.

First reading and reference, 281.
Referred to Committee on Transportation.
Reported back, (indefinitely postponed) 558.
Returned to House, 584.

House Bill No. 53—(Received from House, 128)

House Bill No. 53. A Bill for an Act to Amend and Reenact Section 18-0405 of the North Dakota Revised Code of 1943,

Providing for an Appropriation for Fire Departments; and Declaring an Emergency.

First reading and reference, 135.
Referred to Committee on Appropriations.
Reported back, (do pass) 194.
Second reading, 228.
To House, 237.
Signed by the President, 303.
Returned to House, 308.

House Bill No. 54—(Received from House, 384)

House Bill No. 54. 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.

First reading and reference, 391.
Referred to Committee on Appropriations.
Reported back, (amended) 669.
Amendments, 669.
Amendments adopted, 697.
Second reading, 723.
To House, 728.
Conference Committee, 739.
Conference Committee Report, 768, (adopted) 768.
Final passage, 768.
Signed by the President, 799.
Returned to House, 805.

House Bill No. 55—(Received from House, 128)

House Bill No. 55. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Gasoline Tax Division in the Office of the State Auditor.

First reading and reference, 135.
Referred to Committee on Appropriations.
Reported back, (do pass) 599.
Second reading, 640.
To House, 650.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 56—(Received from House, 128)

House Bill No. 56. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

First reading and reference, 135.
Referred to Committee on Appropriations.
Reported back, (amended) 517.
Amendments, 517.
Amendments adopted, 532.
Floor amended, 551.
Second reading, 551.

To House, 584.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 57—(Received from House, 192)

House Bill No. 57. 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.

First reading and reference, 215.
Referred to Committee on Appropriations.
Reported back, (amended) 706.
Amendments, 706.
Amendments adopted, 714.
Second reading, 735.
To House, 744.
Conference Committee, 764.
Conference Committee Report, (amended) 786; (adopted) 787.
Final passage, 787.
Signed by the President, 807.
Returned to House, 807.

House Bill No. 58—(Received from House, 93)

House Bill No. 58. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

First reading and reference, 102.
Referred to Committee on Appropriations.
Reported back, (amended) 517.
Amendments, 517.
Amendments adopted, 532.
Second reading, 552.
To House, 584.
Signed by the President, 688.
Returned to House, 733.

House Bill No. 59—(Received from House, 93)

House Bill No. 59. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Dealers Division.

First reading and reference, 102.
Referred to Committee on Appropriations.
Reported back, (amended) 517.
Amendments, 517.
Amendments adopted, 532.
Second reading, 553.
To House, 584.
Signed by the President, 688.
Returned to House, 733.

House Bill No. 60—(Received from House, 218)

House Bill No. 60. A Bill for an Act Making an Appropriation for the Installation of a Mezzanine Floor, Additional Shelving and an Electric Book Lift in the Law Library of the Supreme Court.

First reading and reference, 241.
Referred to Committee on Appropriations.

Reported back, (do pass) 381.
Second reading, 407.
To House, 415.
Signed by the President, 508.
Returned to House, 509.

House Bill No. 61—(Received from House, 192)

House Bill No. 61. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

First reading and reference, 215.
Referred to Committee on Appropriations.
Reported back, (amended) 599.
Amendments, 599.
Amendments adopted, 632.
Second reading, 657.
To House, 677.
Signed by the President, 795.
Returned to House, 798.

House Bill No. 62—(Received from House, 128)

House Bill No. 62. A Bill for an Act Making an Appropriation to Carry out the Provisions of Chapter 6-07 of the 1947 Supplement to the North Dakota Revised Code of 1943 for the Closed Bank Fund.

First reading and reference, 135.
Referred to Committee on Appropriations.
Reported back, (do pass) 492.
Second reading, 521.
To House, 546.
Signed by the President, 622.
Returned to House, 623.

House Bill No. 63—(Received from House, 400)

House Bill No. 63. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings and Equipment of the School for the Deaf at Devils Lake, North Dakota.

First reading and reference, 406.
Referred to Committee on Appropriations.
Reported back, (amended) 628.
Amendments, 628.
Amendments adopted, 652.
Second reading, 687.
To House, 696.
Conference Committee, 727.
Conference Committee Report, 788, (adopted) 788.
Signed by the President, 807.
Returned to House, 807.

House Bill No. 64—(Received from House, 192)

House Bill No. 64. 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.

First reading and reference, 215.
Referred to Committee on Appropriations.

Reported back, (do pass) 492.
Second reading, 522.
To House, 546.
Signed by the President, 622.
Returned to House, 623.

House Bill No. 65—(Received from House, 218)

House Bill No. 65. 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.

First reading and reference, 241.
Referred to Committee on Appropriations.
Reported back, (amended) 600.
Amendments, 600.
Amendments adopted, 632.
Second reading, 657.
To House, 677.
Conference Committee, 698.
Conference Committee Report, 787; (adopted) 787.
Signed by the President, 807.
Returned to House, 807.

House Bill No. 66—(Received from House, 447)

House Bill No. 66. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the State Hospital for the Insane at Jamestown, North Dakota.

First reading and reference, 467.
Referred to Committee on Appropriations.
Reported back, (amended) 600.
Amendments, 600.
Amendments adopted, 632.
Amended on floor, 685, 722.
Second reading, 685.
Reconsidered, 722.
Final passage, 722.
To House, 723, 761.
Returned to Senate for clarification of amendment, 753.
Reconsidered, 754.
Amended, final passage, 754.
Signed by the President, 799.
Returned to House, 805.

House Bill No. 67—(Received from House, 416)

House Bill No. 67. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

First reading and reference, 425.
Referred to Committee on Appropriations.
Reported back, (amended) 600.
Amendments, 600.
Amendments adopted, 632.
Second reading, 658.
To House, 677.
Signed by the President, 795.
Returned to House, 798.

House Bill No. 68—(Received from House, 416)

House Bill No. 68. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses for the State Training School at Mandan, North Dakota.

First reading and reference, 425.

Referred to Committee on Appropriations.

Reported back, (do pass) 492.

Second reading, 522.

To House, 546.

Signed by the President, 622.

Returned to House, 623.

House Bill No. 69—(Received from House, 309)

House Bill No. 69. A Bill for an Act Making an Appropriation for General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

First reading and reference, 313.

Referred to Committee on Appropriations.

Reported back, (amended) 492.

Amendments, 492.

Amendments adopted, 518.

Second reading, 537.

To House, 546.

Signed by the President, 622.

Returned to House, 623.

House Bill No. 70—(Received from House, 289)

House Bill No. 70. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota State Farm, Bismarck, North Dakota.

First reading and reference, 302.

Referred to Committee on Appropriations.

Reported back, (amended) 601.

Amendments, 601.

Amendments adopted, 632.

Second reading, 658.

To House, 677.

Conference Committee, 698.

Conference Committee Report, 788; (adopted) 788.

Signed by the President, 807.

Returned to House, 807.

House Bill No. 71—(Received from House, 309)

House Bill No. 71. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the North Dakota Twine and Cordage Plant at the State Penitentiary.

First reading and reference, 313.

Referred to Committee on Appropriations.

Reported back, (do pass) 492

Second reading, 523.

To House, 546.

Signed by the President, 622.

Returned to House, 623.

House Bill No. 72—(Received from House, 289)

House Bill No. 72. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes, Foxes, Bobcats and Magpies.

First reading and reference, 302.
Referred to Committee on Appropriations.
Reported back, (do pass) 381.
Second reading, 408.
To House, 415.
Signed by the President, 508.
Returned to House, 509.

House Bill No. 73—(Received from House, 128)

House Bill No. 73. A Bill for an Act Making an Appropriation for the Use of the North Dakota Research Foundation.

First reading and reference, 135.
Referred to Committee on Appropriations.
Reported back, (do pass) 194.
Second reading, 228.
To House, 237.
Signed by the President, 303.
Returned to House, 308.

House Bill No. 74—(Received from House, 128)

House Bill No. 74. A Bill for an Act Making an Appropriation for a Pension for Dennis Duane Crites, Minor Child of National Guardsman John E. Crites.

First reading and reference, 135.
Referred to Committee on Appropriations.
Reported back, (do pass) 195.
Amended on floor, 247.
Second reading, 247.
To House, 262.
Conference Committee, 309.
Conference Committee Report, (adopted) 372.
Signed by the President, 412.
Returned to House, 415.

House Bill No. 75—(Received from House, 309)

House Bill No. 75. A Bill for an Act Making an Appropriation to Pay the Costs of the Administration of the Old Age and Survivor Insurance System.

First reading and reference, 313.
Referred to Committee on Appropriations.
Reported back, (do pass) 381.
Second reading, 408.
To House, 415.
Signed by the President, 508.
Returned to the House, 509.

House Bill No. 76—(Received from House, 289)

House Bill No. 76. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

First reading and reference, 302.
Referred to Committee on Appropriations.

Reported back, (do pass) 414.
Second reading, 443.
To House, 453.
Signed by the President, 508.
Returned to House, 509.

House Bill No. 77—(Received from House, 128)

House Bill No. 77. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

First reading and reference, 136.
Referred to Committee on Appropriations.
Reported back, (amended) 558.
Amendments, 558.
Amendments adopted, 579.
Second reading, 617.
To House, 651.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 78—(Received from House, 128)

House Bill No. 78. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

First reading and reference, 136.
Referred to Committee on Appropriations.
Reported back, (amended) 558.
Amendments, 558.
Amendments adopted, 579.
Second reading, 618.
To House, 651.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 79—(Received from House, 128)

House Bill No. 79. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

First reading and reference, 136.
Referred to Committee on Appropriations.
Reported back, (amended) 558.
Amendments, 558.
Amendments adopted, 579.
Second reading, 618.
To House, 651.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 80—(Received from House, 431)

House Bill No. 80. A Bill for an Act Making an Appropriation for the Salaries and Miscellaneous Expenses of the High School Correspondence Study.

First reading and reference, 442.
Referred to Committee on Appropriations.
Reported back, (do pass) 601.
Second reading, 640.

To House, 650.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 81—(Received from House, 431)

House Bill No. 81. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Bank of North Dakota.

First reading and reference, 442.
Referred to Committee on Appropriations.
Reported back, (do pass) 517.
Second reading, 538.
To House, 546.
Signed by the President, 622.
Returned to House, 623.

House Bill No. 82—(Received from House, 416)

House Bill No. 82. 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.

First reading and reference, 425.
Referred to Committee on Appropriations.
Reported back, (do pass) 479.
Second reading, 523.
To House, 546.
Signed by the President, 622.
Returned to House, 623.

House Bill No. 83—(Received from House, 128)

House Bill No. 83. A Bill for an Act Making an Appropriation for the Purpose of Paying for Oleomargarine Stamps, and Declaring an Emergency.

First reading and reference, 136.
Referred to Committee on Appropriations.
Reported back, (do pass) 195.
Second reading, 229.
To House, 237.
Signed by the President, 303.
Returned to House, 308.

House Bill No. 84—(Received from House, 218)

House Bill No. 84. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Funds for the Operation of the State Hail Insurance Department; and Declaring an Emergency.

First reading and reference, 241.
Referred to Committee on Appropriations.
Reported back, (do pass) 559.
Second reading, 583.
To House, 598.
Signed by the President, 688.
Returned to House, 733.

House Bill No. 85—(Received from House, 206)

House Bill No. 85. A Bill for an Act Making an Appropriation to the Superintendent of Public Instruction Out of the State Equalization Fund to Meet Deficiencies in the Per

**Pupil, High School Tuition and Teacher Unit, for the Bien-
nium Ending June 30, 1949; and Declaring an Emergency.**

First reading and reference, 225.
Referred to Committee on Appropriations.
Reported back, (amended) 530.
Amendments, 530.
Amendments adopted, 546.
Second reading, 569.
To House, 584.
Signed by the President, 689.
Returned to House, 733.

House Bill No. 86—(Received from House, 93)

**House Bill No. 86. A Bill for an Act Making an Appropria-
tion for the General Maintenance of the Grafton State School
and Declaring an Emergency.**

First reading and reference, 102.
Referred to Committee on Appropriations.
Reported back, 160.
Second reading, 183.
To House, 186.
Signed by the President, 244.
Returned to House, 254.

House Bill No. 87—(Received from House, 93)

**House Bill No. 87. A Bill for an Act Making an Appropria-
tion for the Operation and Maintenance of the Penitentiary
Tag and Sign Plant; and Declaring an Emergency.**

First reading and reference, 102.
Referred to Committee on Appropriations.
Reported back, (do pass) 131.
Second reading, 141.
To House, 144.
Signed by the President, 185.
Returned to House, 186.

House Bill No. 88—(Received from House, 93)

**House Bill No. 88. A Bill for an Act Making a Deficiency
Appropriation for the Expenses of the Board of Administra-
tion and General Maintenance and Operation of the Capitol
and Grounds; and Declaring an Emergency.**

First reading and reference, 102.
Referred to Committee on Appropriations.
Reported back, (do pass) 131.
Second reading, 142.
To House, 144.
Signed by the President, 185.
Returned to House, 186.

House Bill No. 89—(Received from House, 104)

**House Bill No. 89. A Bill for an Act to Amend and Re-
enact Section 1-0301 of the 1947 Supplement to the North
Dakota Revised Code of 1943, Relating to Holidays.**

First reading and reference, 125.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 195.
Second reading, (lost) 229, (passed) 232.

Reconsidered, 232.
To House, 254.
Signed by the President, 303.
Returned to House, 308.

House Bill No. 90—(Received from House, 158)

House Bill No. 90. A Bill for an Act to Amend and Re-enact Section 26-2211, of the North Dakota Revised Code of 1943, Providing for Crops Insurable; and Dates When Coverage on Insured Crops Commences and Terminates.

First reading and reference, 173.
Referred to Committee on Industry and Business.
Reported back, (do pass) 433.
Second reading, 513.
To House, 530.
Signed by the President, 586.
Returned to House, 597.

House Bill No. 91—(Received from House, 335)

House Bill No. 91. A Bill for an Act to Amend and Re-enact Section 26-2221 of the North Dakota Revised Code of 1943 Providing for the Time When Application for Hail Insurance Shall Become Effective, and Prescribing the Duties of the Hail Insurance Commissioner on Receipt of Application.

First reading and reference, 345.
Referred to Committee on Industry and Business.
Reported back, (do pass) 518.
Second reading, 538.
To House, 546.
Signed by the President, 622.
Returned to House, 623.

House Bill No. 92—(Received from House, 104)

House Bill No. 92. A Bill for an Act Relating to Notice of Time and Place of Annual Elections in School Districts; Amending Section 15-2404 and Repealing Section 15-2407 of the North Dakota Revised Code of 1943.

First reading and reference, 125.
Referred to Committee on Education.
Reported back, (do pass) 451.
Second reading, 514.
To House, 530.
Signed by the President, 586.
Returned to House, 597.

House Bill No. 95—(Received from House, 158)

House Bill No. 95. A Bill for an Act Creating Subsection 68 of Section 40-0501 of the North Dakota Revised Code of 1943, Relating to Powers of Municipalities and Authorizing Municipal Governing Bodies to Acquire, Construct, Maintain, Operate, Control, and Finance Flood Control Projects, Both Within and Adjacent to Such Municipalities, Acquire the Necessary Real Estate and Easements Therefore by Purchase and Eminent Domain, and to Adopt Ordinances Regulating the Same.

First reading and reference, 173.
Referred to Committee on Political Subdivisions.

Reported back, (do pass) 236.
 Second reading, 286.
 To House, 289.
 Signed by the President, 327.
 Returned to House, 335.

House Bill No. 97—(Received from House, 245)

House Bill No. 97. A Bill for an Act to Amend and Re-enact Section 6-0913 of the North Dakota Revised Code of 1943, and Declaring an Emergency.

First Reading and reference, 281.
 Referred to Committee on Industry and Business.
 Reported back, (without recommendation) 492.
 Second reading, 520.
 To House, 530.
 Signed by the President, 586.
 Returned to House, 597.

House Bill No. 98—(Received from House, 144)

House Bill No. 98. A Bill for an Act to Amend and Re-enact Section 37-1507 of the North Dakota Revised Code of 1943, Relating to Commandant of the Soldiers' Home.

First reading and reference, 174.
 Referred to Committee on Veterans Affairs.
 Reported back, (do pass) 271.
 Second reading, 324.
 To House, 335.
 Signed by the President, 373.
 Returned to House, 384.

House Bill No. 100—(Received from House, 309)

House Bill No. 100. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 334, Session Laws of 1945, Number 63-0306 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relative to the Cutting of Weeds and Grasses Along Township Highways; Charging the Expense to Adjoining Owners; Defining a Running Mile.

First reading and reference, 313.
 Referred to Committee on Political Subdivisions.
 Reported back, (do pass) 334.
 Second reading, 370.
 To House, 383.
 Signed by the President, 412.
 Returned to House, 415.

House Bill No. 101—(Received from House, 192)

House Bill No. 101. A Bill for an Act to Amend and Re-enact Section 27-0602 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Salary and Expense of Court Reporters.

First reading and reference, 215.
 Referred to Committee on Judiciary.
 Reported back, (amended) 706.
 Amendments, 706.
 Amendments adopted, 714.
 Second reading, 735.

To House, 744.
Signed by the President, 799.
Returned to House, 805.

House Bill No. 105—(Received from House, 319)

House Bill No. 105. A Bill for an Act Making an Appropriation to the State Historical Society to Defray the Expenses of Repairing, Reconditioning, Improving and of the Upkeep of the Roosevelt Cabin at the State Capitol.

First reading and reference, 327.
Referred to Committee on Appropriations.
Reported back, (amended) 530.
Amendments, 530.
Amendments adopted, 547.
Amended on floor, 570.
Second reading, 570.
To House, 584.
Signed by the President, 689.
Returned to House, 733.

House Bill No. 108—(Received from House, 245)

House Bill No. 108. A Bill for an Act to Amend and Reenact Sections 27-0305, 27-0306, Subsection 1 of Section 11-1704, 11-1705, 27-0740 and 27-0741 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Filing Fees in the Supreme, District and County Courts; Repealing Section 27-1208 of the 1947 Supplement to the North Dakota Revised Code of 1943 and Declaring an Emergency.

First reading and reference, 282.
Referred to Committee on Judiciary.
Reported back, (indefinitely postponed) 638.
Returned to House, 651.

House Bill No. 109—(Received from House, 289)

House Bill No. 109. A Bill for an Act to Amend and Reenact Section 15-2205, North Dakota Revised Code of 1943, Fixing Mileage and Travel Expense, Amount, and How Paid for County Superintendents of Schools, and Repealing Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

First reading and reference, 302.
Referred to Committee on Education.
Reported back, (amended) 559.
Amendments, 559.
Amendments adopted, 579.
Second reading, 619.
To House, 651.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 112—(Received from House, 192)

House Bill No. 112. A Bill for an Act to Amend and Reenact Section 9-1006 of the North Dakota Revised Code of 1943, Fixing Liability for Negligence.

First reading and reference, 215.
Referred to Committee on Judiciary.
Reported back, (indefinitely postponed) 694.
Returned to House, 715.

House Bill No. 113—(Received from House,)

House Bill No. 113. A Bill for an Act Validating Title to All Lands Acquired by Any County of This State Through Tax Deed Proceedings Prior to July 1, 1939, and Declaring an Emergency.

First reading and reference, 367.

Referred to Committee on Judiciary.

Reported back, (indefinitely postponed) 645.

Returned to House, 677.

House Bill No. 114—(Received from House, 206)

House Bill No. 114. A Bill for an Act Relating to Notice of Assignments of Accounts Receivable, Defining "Account Receivable" and Setting Forth the Effect of Such Assignments as Against Creditors and Subsequent Purchasers and Encumbrancers of Such Account.

First reading and reference, 225.

Referred to Committee on Judiciary.

Reported back, (do pass) 359.

Second reading, 393.

To House, 399.

Signed by the President, 508.

Returned to House, 509.

House Bill No. 115—(Received from House, 289)

House Bill No. 115. A Bill for an Act Relating to Electrical Installations and Repealing All Acts or Parts of Acts in Conflict Therewith.

First reading and reference, 302.

Referred to Committee on Industry and Business.

Re-referred, 471.

Reported back, (without recommendation) 451, (indefinitely postponed) 645.

Returned to House, 677.

House Bill No. 116—(Received from House, 245)

House Bill No. 116. A Bill for an Act to Amend and Reenact Section 11-1414 of the North Dakota Revised Code of 1943, Relating to County Treasurer's Reports of Disbursements to School Districts.

First reading and reference, 282.

Referred to Committee on Political Subdivisions.

Reported back, (do pass) 334.

Second reading, 371.

To House, 383.

Signed by the President, 412.

Returned to House, 415.

House Bill No. 119—(Received from House, 263)

House Bill No. 119. A Bill for an Act to Amend and Reenact Section 15-2515 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Clerks of School Boards in Common School Districts.

First reading and reference, 282.

Referred to Committee on Education.

Reported back, (do pass) 451.

Second reading, 514.
To House, 530.
Signed by the President, 586.
Returned to House, 598.

House Bill No. 120—(Received from House, 158)

House Bill No. 120. A Bill for an Act Amending and Reenacting Section 15-3404 of the 1947 Supplement to the North Dakota Revised Code of 1943 Relating to Transportation Payments in Common School Districts.

First reading and reference, 174.
Referred to Committee on Education.
Reported back, (do pass) 451.
Second reading, 519.
To House, 530.
Signed by the President, 586.
Returned to House, 598.

House Bill No. 121—(Received from House, 289)

House Bill No. 121. A Bill for an Act to Amend and Reenact Section 39-0467 of the North Dakota Revised Code of 1943, Providing for the Distribution of Motor Vehicle Registration.

First reading and reference, 302.
Referred to Committee on State and Federal Government.
Reported back, (without recommendation) 559.
Second reading, (lost) 615.
Returned to House, 651.

House Bill No. 124—(Received from House, 175)

House Bill No. 124. A Bill for an Act Making it Unlawful to go Into the Fields or Woods With a Gun or Firearms While Intoxicated; Extending to Game Wardens the Authority to Enforce the Act; and Providing Penalties.

First reading and reference, 191.
Referred to Committee on Social Welfare.
Reported back, (do pass) 253; (amended) 381.
Amended on floor, 286.
Reconsidered and re-referred, 343.
Amendments, 381.
Amendments adopted, 400.
Second reading, 287, 430.
To House, 289, 453.
Returned to Senate for clarification of amendment, 290.
Signed by the President, 622.
Returned to House, 623.

House Bill No. 126—(Received from House, 245)

House Bill No. 126. A Bill for an Act to Amend and Reenact Section 65-0109 of the North Dakota Revised Code of 1943, Relating to Injury Through Negligence of Third Person.

First reading and reference, 282.
Referred to Committee on Labor Relations.
Reported back, (laid over) 601.
On calendar, 629.
Amended on floor, 659.

Second reading, 659.
To House, 677.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 127—(Received from House, 192)

House Bill No. 127. A Bill for an Act to Amend and Reenact Section 25-0825 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Recovery of Expenses for Institutional Care From Patients, Estates of Patients, and From Veterans, Authorizing County Auditors to Collect Such Expenses for the County and the State, Providing That the Statute of Limitations Shall Not Bar the Collection of Such Expenses.

First reading and reference, 215.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 559.
Second reading, 590.
To House, 631.
Signed by the President, 689.
Returned to House, 797.

House Bill No. 129—(Received from House, 289)

House Bill No. 129. A Bill for an Act to Amend and Reenact Section 11-1512 of the North Dakota Revised Code of 1943, Relating to Sheriff's Mileage.

First reading and reference, 302.
Referred to Committee on Political Subdivisions.
Reported back, (do pass) 317.
Second reading, 344.
To House, 359.
Signed by the President, 412.
Returned to House, 415.

House Bill No. 132—(Received from House, 245)

House Bill No. 132. A Bill for an Act to Permit a Surviving Husband or Wife to Dissent From Terms of a Will, and to Elect to Inherit Under Laws of Succession.

First reading and reference, 282.
Referred to Committee on Judiciary.
Reported back, (do pass) 674.
Second reading, (lost) 710.
Returned to House, 715.

House Bill No. 133—(Received from House, 245)

House Bill No. 133. A Bill for an Act to Amend and Re-enact Section 43-1538 of the North Dakota Revised Code of 1943, Relating to Renewal of Permits for the Operation or Maintenance of Pharmacies in This State, Failure to Make Application for Renewal of Permits Within Prescribed Time, Imposing a Penalty for Such Failure; and Declaring an Emergency.

First reading and reference, 282.
Referred to Committee on Industry and Business.
Reported back, (do pass) 545.
Second reading, (lost) 570; 577.

Reconsidered, 577.
To House, 650.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 134—(Received from House, 245)

House Bill No. 134. A Bill for an Act to Amend and Re-enact Section 43-1534 of the North Dakota Revised Code of 1943, Relating to Operation of Pharmacy, Permit Required, Application and Fee; and Declaring an Emergency.

First reading and reference, 282.
Referred to Committee on Industry and Business.
Reported back, (do pass) 545.
Amended on floor, 590.
Second reading, 571, (lost) 590, final passage, 621.
To House, 584, 651.
Senate requests return, 584.
Returned to Senate, 587.
Reconsidered, 590, 621.
Conference Committee, 683.
Conference Committee Report, (adopted) 738.
Signed by the President, 799.
Returned to House, 805.

House Bill No. 135—(Received from House, 263)

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 43-1537 N. D. R. C. of 1943, Relating to Permits for the Operation of Drug Stores, Fixing the Fee for Such Permit; and Declaring an Emergency.

First reading and reference, 282.
Referred to Committee on Industry and Business.
Reported back, (do pass) 545.
Second reading, (lost) 571, (lost) 582.
Reconsidered, 577.
Returned to House, 651.

House Bill No. 136—(Received from House, 218)

House Bill No. 136. A Bill for an Act to Amend and Re-enact Section 57-2226 of the North Dakota Revised Code of 1943, Relating to the Deduction of Personal Property Taxes From Payments From Public Funds.

First reading and reference, 241.
Referred to Committee on Finance and Taxation.
Reported back, (indefinitely postponed) 318.
Returned to House, 360.

House Bill No. 137—(Received from House, 263)

House Bill No. 137. A Bill for an Act Authorizing the Transfer and Conveyance of Certain Lands Held by the State of North Dakota for the Use and Benefit of the State Historical Society by the State Historical Society to the State of North Dakota for the Use and Benefit of the State Game and Fish Commissioner in Exchange for Lands of the State of North Dakota Held for the Use and Benefit of the State Game and Fish Commissioner by the State Game

and Fish Commissioner, and Authorizing Said Commissioner to Make the Necessary Transfer and Conveyance to Effect Such Exchange.

First reading and reference, 283.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 559.
Second reading, 615.
To House, 650.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 138—(Received from House, 289)

House Bill No. 138. A Bill for an Act Authorizing the Transfer and Conveyance of Certain Lands Held by the State of North Dakota for the Use and Benefit of the State Historical Society by the State Historical Society to the State of North Dakota to Constitute a Part of the School Lands of the State in Exchange for Lands of Equal Value Constituting a Part of the Permanent School Funds of Said State, and Authorizing the Board of University and School Lands to Make the Necessary Transfer and Conveyance to Effect Such Exchange.

First reading and reference, 302.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 559.
Second reading, 616.
To House, 650.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 139—(Received from House, 335)

House Bill No. 139. A Bill for an Act Authorizing the State of North Dakota to Transfer and Convey State School Lands, Lands Held by the State for the Use and Benefit of the State Historical Society or for the Use and Benefit of the State Game and Fish Commissioner, or Any Other Lands Owned by the State of North Dakota, All of Which Lands Are Within the Theodore Roosevelt National Memorial Park, to the United States, in Exchange for Federal Lands of Not Less Than Equal Value Lying Outside of Said Park, and Declaring an Emergency.

First reading and reference, 345.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 559.
Second reading, 616.
To House, 651.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 140—(Received from House, 263)

House Bill No. 140. A Bill for an Act to Amend and Reenact Section 15-2206 of the North Dakota Revised Code of 1943, Relating to Appointment and Salary of Deputy County Superintendents of Schools.

First reading and reference, 283.
Referred to Committee on Education.
Reported back, (do pass) 560.

Second reading, 591.
To House, 631.
Signed by the President, 689.
Returned to House, 733.

House Bill No. 142—(Received from House, 218)

House Bill No. 142. A Bill for an Act to Amend and Reenact Section 37-1506 of the North Dakota Revised Code of 1943, Relating to Compensation of Members of Board of Trustees of the Soldiers' Home.

First reading and reference, 241.
Referred to Committee on Veterans Affairs.
Reported back, (do pass) 271.
Second reading, 325.
To House, 335.
Signed by the President, 374.
Returned to House, 384.

House Bill No. 143—(Received from House, 416)

House Bill No. 143. A Bill for an Act to Establish a State Printing Office in the State of North Dakota; Providing That the State Printer Be the Manager; and for the Maintenance and Operation Therefor; for the Employment of Subordinates, Requiring a Bond From the State Printer and for the Purchase of Property; for Civil Actions in Connection Therewith; for Audit and Examination of Such Office and the Validity of Contracts; Requiring That Such Office Shall Handle the Printing for the State Government; Providing an Appropriation and Repealing All Acts or Parts of Acts in Conflict With the Provisions of This Act.

First reading and reference, 589.
Referred to Committee on State and Federal Government.
Re-referred to Committee on Appropriations, 601.
Reported back, (without recommendation and re-referred) 601; (without recommendation) 706.
Second reading, (lost) 744.
Returned to House, 748.

House Bill No. 144—(Received from House, 206)

House Bill No. 144. A Bill for an Act to Amend and Reenact Subdivision a of Subsection 1 of Section 21-0306 of the North Dakota Revised Code of 1943, Relating to Purposes and Specific Limitations of Bond Issues, Authorizing Counties Maintaining County Agricultural and Training Schools to Issue Bonds to Provide Buildings for Such Schools.

First reading and reference, 225.
Referred to Committee on Education.
Reported back, (do pass) 451.
Second reading, 524.
To House, 546.
Signed by the President, 622.
Returned to House, 623.

House Bill No. 145—(Received from House, 245)

House Bill No. 145. A Bill for an Act to Amend and Reenact Section 15-4211 of the North Dakota Revised Code of 1943, Relating to Selection and Determination of Salaries,

Expenses and Mileage of the Principal, Teachers and Other Employees of County Agricultural and Training Schools.

First reading and reference, 283.
Referred to Committee on Education.
Reported back, (do pass) 451.
Second reading, 524.
To House, 546.
Signed by the President, 622.
Returned to House, 623.

House Bill No. 146—(Received from House, 206)

House Bill No. 146. A Bill for an Act Authorizing Certain School Districts to Make Special Levies for the Support of County Agricultural and Training Schools.

First reading and reference, 225.
Referred to Committee on Education.
Reported back, (do pass) 452.
Second reading, 525.
To House, 546.
Signed by the President, 622.
Returned to House, 623.

House Bill No. 147—(Received from House, 245)

House Bill No. 147. A Bill for an Act to Permit a Levy of One Mill in Excess of Other Levies Permitted by Law To Be Made by Counties Maintaining County Agricultural and Training Schools for Building Funds for Such Schools.

First reading and reference, 283.
Referred to Committee on Education.
Reported back, (do pass) 452.
Amended on floor, 525.
Second reading, 525.
To House, 546.
Signed by the President, 623.
Returned to House, 623.

House Bill No. 148—(Received from House, 218)

House Bill No. 148. A Bill for an Act to Amend and Reenact Section 6-0404 of the North Dakota Revised Code of 1943 Relating to Investments Authorized.

First reading and reference, 242.
Referred to Committee on Industry and Business.
Reported back, (do pass) 479.
Second reading, 526.
To House, 546.
Signed by the President, 623.
Returned to House, 623.

House Bill No. 149—(Received from House, 218)

House Bill No. 149. A Bill for an Act to Amend and Reenact Section 6-0311 of the North Dakota Revised Code of 1943 Relating to the Conversion of State Banking Associations Into National Banking Associations or the Merger or Consolidation of State Banking Associations With Other State Banking Associations or With National Banking Associations.

First reading and reference, 242.
Referred to Committee on Industry and Business.

Reported back, (do pass) 479.
Second reading, 526.
To House, 546.
Signed by the President, 623.
Returned to House, 623.

House Bill No. 150—(Received from House, 218)

House Bill No. 150. A Bill for an Act to Amend and Reenact Section 6-0504 of the North Dakota Revised Code of 1943 Relating to Security Deposit Investments Required, and Securities in Which Investment May Be Made.

First reading and reference, 242.
Referred to Committee on Industry and Business.
Reported back, (do pass) 479.
Second reading, 527.
To House, 546.
Signed by the President, 623.
Returned to House, 623.

House Bill No. 154—(Received from House, 263)

House Bill No. 154. A Bill for an Act Legalizing and Validating Contracts by Cities for the Construction of Improvements and the Sale of Special Improvement Warrants to Finance the Costs Thereof, Notwithstanding Omission of Cash Basis Provision in Call for Bids or Omission of Notice of Meeting for Considering and Acting Upon Bids, and Declaring an Emergency.

First reading and reference, 283.
Referred to Committee on Judiciary.
Reported back, (do pass) 672.
Second reading, 712.
To House, 728.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 155—(Received from House, 245)

House Bill No. 155. A Bill for an Act to Amend and Reenact Section 43-0118 of the North Dakota Revised Code of 1943, Relating to Abstractor Fees and Declaring an Emergency.

First reading and reference, 283.
Referred to Committee on Industry and Business.
Reported back, (do pass) 307.
Second reading, 325.
To House, 335.
Signed by the President, 374.
Returned to House, 384.

House Bill No. 156—(Received from House, 263)

House Bill No. 156. A Bill for an Act to Amend and Reenact Section 15-4715 of the North Dakota Revised Code of 1943, Relating to School Contracts.

First reading and reference, 283.
Referred to Committee on Education.
Reported back, (do pass) 629.
Second reading, 660.

To House, 677.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 158—(Received from House, 319)

House Bill No. 158. A Bill for an Act Authorizing Two or More Incorporated Religious Societies, Churches, Congregations, Parishes, Chapters, Dioceses, Properties and Cathedrals to Consolidate, Merge, and Reorganize as a Single Religious Society, Church, Congregation, Parish, Chapter, Diocese, or Cathedral, by Complying With the Provisions of Law for the Consolidation, Merger and Reorganization of Such Corporation, and Declaring an Emergency.

First reading and reference, 327.

Referred to Committee on State and Federal Government.

Re-referred to Committee on Judiciary, 614.

Re-referred to Committee on State and Federal Government, 649.

Reported back, (indefinitely postponed) 601; (Committee report reconsidered) 614; (amended) 672.

Amendments, 672.

Amendments adopted, 697.

Second reading, (lost) 724.

Returned to House, (indefinitely postponed) 737.

House Bill No. 161—(Received from House, 263)

House Bill No. 161. A Bill for an Act to Amend and Reenact Section 5-0123 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Hours of Sale of Alcoholic Beverages and Providing a Penalty for Violation Thereof.

First reading and reference, 283.

Referred to Committee on Social Welfare.

Reported back, (indefinitely postponed) 381.

Returned to House, 399.

House Bill No. 162—(Received from House,)

House Bill No. 162. A Bill for an Act Authorizing the County Commissioners in Any County in This State, Upon Application by a Duly Organized County Hospital Association, to Make a Levy Not to Exceed Eight Mills Upon the Assessed Valuation of the Property in the County for the Erection and Construction of a County Hospital, Providing for an Election To Be Held; Also Providing for Special Fund Derived From Such Tax Levy and Disbursements Thereof, Providing for Donations to Said Hospital or Community Association, and Providing for the Disposition of Said County or Community Hospital and Limiting the Number of Hospitals or Community Associations in Each County Provided for in This Act.

First reading and reference, 368.

Referred to Committee on Finance and Taxation.

Reported back, (amended) 398.

Amendments, 398.

Amendments adopted, 414.

Second reading, 443.

To House, 453, 677.

Conference Committee, 528.

Conference Committee Report, (amended, adopted) 567.
Final passage, 567.
Request return from House, 634.
Returned to Senate, 648.
Reconsidered, 652.
Floor amended, final passage, 653.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 163—(Received from House, 503)

House Bill No. 163. 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.

First reading and reference, 504.

Referred to Committee on Finance and Taxation.

Reported back, (amended) 629.

Amendments, 629.

Amendments adopted, 652.

Amended on floor, 698.

Second reading, 700.

To House, 716.

Conference Committee, 742.

Conference Committee Report, (amended) 773; (adopted) 774.

Final passage, 774.

Signed by the President, 807.

Returned to House, 807.

House Bill No. 165—(Received from House, 384)

House Bill No. 165. A Bill for an Act to Prescribe the Time and Manner of Giving Notice of Annual and Special Meetings to Members of Mutual Insurance Companies Organized Under the Provisions of Chapter 26-08 of the North Dakota Revised Code of 1943; Prescribing What the By-laws of Such Companies May Provide as to What Shall Constitute a Quorum; Providing for Representation at Such Meetings by Proxy; Prescribing What Vote Shall Be Necessary to Approve or Reject Proposals at Such Meetings and for the Amendment of Articles and By-laws; Providing for a Repeal of All Acts or Parts of Acts in Conflict With This Act, and Declaring an Emergency.

First reading and reference, 391.

Referred to Committee on Industry and Business.

Reported back, (do pass) 433.

Second reading, 527.

To House, 546.

Signed by the President, 623.

Returned to House, 623.

House Bill No. 166—(Received from House, 319)

House Bill No. 166. A Bill for an Act to Amend and Reenact Sections 6-0111, 12-4708, and 15-0203 of the North Dakota Revised Code of 1943 and Sections 4-1707, 6-0116,

18-0101, 19-0103, 20-0203, 20-0207, 20-0209, 20-0212, 24-0206, 25-0205, 27-0303, 38-0304, 39-0202, 54-2104, 54-2106 and 65-0202 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Salaries of State Officers and Employees.

First reading and reference, 327.

Referred to Committee on State and Federal Government.

Reported back, (do pass) 492.

Second reading, 519.

To House, 530.

Signed by the President, 586.

Returned to House, 598.

House Bill No. 167—(Received from House, 245)

House Bill No. 167. A Bill for an Act Relating to Holiday Bank Transactions.

First reading and reference, 284.

Referred to Committee on Industry and Business.

Reported back, (do pass) 479.

Second reading, 528.

To House, 546.

Signed by the President, 644.

Returned to House, 733.

House Bill No. 168—(Received from House, 245)

House Bill No. 168. A Bill for an Act to Amend and Reenact Section 15-2207 of the North Dakota Revised Code of 1943, Relating to Clerks and Assistants, Office and Supplies for the County Superintendent of Schools.

First reading and reference, 284.

Referred to Committee on Education.

Reported back, (do pass) 560.

Second reading, 592.

To House, 631.

Signed by the President, 689.

Returned to House, 733.

House Bill No. 169—(Received from House,)

House Bill No. 169. A Bill for an Act to Amend and Reenact Subdivision 4 of Section 26-1110 of the North Dakota Revised Code of 1943, Relating to Pensions for Officers and Directors of Domestic Life Insurance Companies.

First reading and reference, 368.

Referred to Committee on Industry and Business.

Re-referred, 453.

Reported back, (do pass) 433, (do pass) 518.

Second reading, 555.

To House, 584.

Signed by the President, 644.

Returned to House, 733.

House Bill No. 170—(Received from House,)

House Bill No. 170. A Bill for an Act Creating Subsection 13 of Section 26-0811 of the 1947 Supplement to the North Dakota Revised Code of 1943; Amending Section 26-0812 of the 1947 Supplement to the North Dakota Revised Code of 1943, and Section 26-0813 of the North Dakota Revised

Code of 1943; Relating to Investment in and Holding of Real Estate Other Than Farm Property by Domestic Insurance Companies.

First reading and reference, 368.
Referred to Committee on Industry and Business.
Reported back, (do pass) 480.
Second reading, 532.
To House, 546.
Signed by the President, 644.
Returned to House, 733.

House Bill No. 172—(Received from House, 263)

House Bill No. 172. A Bill for an Act to Repeal Section 28-2709 and Section 33-1107 of the North Dakota Revised Code of 1943, Relating to Undertaking for Costs on Appeal From the District Court to the Supreme Court, and Undertaking for Costs on Appeal From Justice Court to the District Court.

First reading and reference, 284.
Referred to Committee on Judiciary.
Reported back, (indefinitely postponed) 645.
Returned to House, 677.

House Bill No. 173—(Received from House, 263)

House Bill No. 173. A Bill for an Act to Amend and Reenact Section 27-0912 of the North Dakota Revised Code of 1943, Relating to New Names Supplied for List of Names of Persons Qualified as Jurors After Each Jury Term.

First reading and reference, 284.
Referred to Committee on Judiciary.
Reported back, (do pass) 645.
Second reading, 667.
To House, 695.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 175—(Received from House, 289)

House Bill No. 175. A Bill for an Act to Amend and Reenact Sections 57-3716 and 57-3729 of the North Dakota Revised Code of 1943, Relating to Estate Taxes.

First reading and reference, 303.
Referred to Committee on Judiciary.
Reported back, (do pass) 629.
Second reading, 660.
To House, 677.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 177—(Received from House, 400)

House Bill No. 177. A Bill for an Act to Amend and Reenact Sections 47-1606 and 47-1615 of the North Dakota Revised Code of 1943, Relating to Renewal and Notice of Termination of Leases of Real Property.

First reading and reference, 406.
Referred to Committee on Judiciary.
Reported back, (indefinitely postponed) 645.
Returned to House, 677.

House Bill No. 178—(Received from House, 319)

House Bill No. 178. A Bill for an Act to Amend and Reenact Section 47-0604 of the North Dakota Revised Code of 1943, Relating to Fixtures, Improvements and Soil Building Practices by Tenants on Leased Land.

First reading and reference, 327.

Referred to Committee on Agriculture.

Re-referred, 533.

Reported back, (do pass) 473; (on calendar) 540.

Indefinitely postponed, 572.

Returned to House, 584.

House Bill No. 182—(Received from House,)

House Bill No. 182. A Bill for an Act Authorizing the Superintendent of Public Instruction and School Districts to Enter Into Certain Agreements Pertaining to Public Education.

First reading and reference, 368.

Referred to Committee on Education.

Reported back, (amended) 560.

Amendments, 560.

Amendments adopted, 579.

Second reading, 619.

To House, 651.

Signed by the President, 796.

Returned to House, 798.

House Bill No. 183—(Received from House, 447)

House Bill No. 183. A Bill for an Act to Provide for Teacher Preparation Scholarships for Qualified Residents of North Dakota Who Express an Intent to Prepare for Rural Teaching; Providing for a Board to Administer the Provisions of the Act; Making an Appropriation and Declaring an Emergency.

First reading and reference, 467.

Referred to Committee on Education.

Re-referred to Committee on Appropriations, 601.

Reported back, (amended, re-referred) 601, (amended) 706.

Amendments, 601, 706.

Amendments adopted, 632, 714.

Second reading, 736.

To House, 744.

Signed by the President, 799.

Returned to House, 805.

House Bill No. 185—(Received from House, 335)

House Bill No. 185. A Bill for an Act to Amend and Reenact Section 43-1102 of the North Dakota Revised Code of 1943, Relating to Exemptions From the Provisions of Chapter 43-11 of Said Code, Relating to Hairdressers and Cosmetologists.

First reading and reference, 345.

Referred to Committee on General Affairs.

Reported back, (indefinitely postponed) 541.

Returned to House, 557.

House Bill No. 187—(Received from House, 416)

House Bill No. 187. A Bill for an Act Making Records and Business Transactions of Irrigation Districts Public Records; Defining the Duties of Officers of Irrigation Districts; and Making the Violation Thereof Grounds for Removal.

First reading and reference, 425.

Referred to Committee on Agriculture.

Reported back, (do pass) 531.

Second reading, 553.

To House, 584.

Signed by the President, 644.

Returned to House, 733.

House Bill No. 190—(Received from House, 431)

House Bill No. 190. A Bill for an Act Providing for the Cleaning and Repairing of Drains by Boards of County Commissioners; Providing for the Levy of Special Assessments; Repealing Section 61-2142 of the North Dakota Revised Code of 1943 as Amended, and Declaring an Emergency.

First reading and reference, 442.

Referred to Committee on Agriculture.

Reported back, (amended) 531.

Amendments, 531.

Amendments adopted, 547.

Second reading, 574.

To House, 598.

Signed by the President, 796.

Returned to House, 798.

House Bill No. 191—(Received from House,)

House Bill No. 191. A Bill for an Act Creating Sub-section 69 of Section 40-0501 of the North Dakota Revised Code of 1943, Relating to Powers of Municipalities and Authorizing Municipal Governing Bodies to Acquire, Construct, Maintain, Operate, Finance and Control Public Rest Rooms and Facilities, Acquire the Necessary Real Estate Therefor by Purchase and Eminent Domain, and to Adopt Ordinances Regulating the Same.

First reading and reference, 368.

Referred to Committee on Political Subdivisions.

Reported back, (do pass) 560.

Second reading, 617.

To House, 651.

Signed by the President, 732.

Returned to House, 733.

House Bill No. 194—(Received from House, 431)

House Bill No. 194. A Bill for an Act Providing for the Distribution of Funds Received From the Federal Government in Counties Where the Federal Government Has Acquired Land for the Development of Projects for Public Uses.

First reading and reference, 442.

Referred to Committee on State and Federal Government.

Reported back, (amended) 560.

Amendments, 560.

Amendments adopted, 579.
Amended on floor, 705.
Second reading, 705.
To House, 715.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 195—(Received from House, 384)

House Bill No. 195. A Bill for an Act to Amend and Reenact Section 12-5108 of the North Dakota Revised Code of 1943 Providing for the Cost of Transportation and the Care of Persons Committed to State Farm and the Payment of Such Expense and the Handling of Federal Prisoners.

First reading and reference, 391.
Referred to Committee on State and Federal Government.
Re-referred, 542.
Reported back, (amended) 452, (amended) 601.
Amendments, 452, 602.
Amendments adopted, 480, 632.
Second reading, 661.
To House, 677.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 202—(Received from House, 471)

House Bill No. 202. A Bill for an Act to Repeal Sections 51-0505 and 51-0509 of the North Dakota Revised Code of 1943, Relating to Auction Sales

First reading and reference, 486.
Referred to Committee on General Affairs.
Reported back, (without recommendation) 579.
Second reading, 620.
To House, 651.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 203—(Received from House, 491)

House Bill No. 203. A Bill for an Act to Amend and Reenact Section 39-0459 of the 1947 Supplement to the North Dakota Revised Code of 1943 Relating to Motor Vehicle Dealer License Fees; Additional Number Plates; and Requirements of an Applicant for Motor Vehicle Dealer License.

First reading and reference, 504.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 603.
Second reading, 661.
To House, 677.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 204—(Received from House, 400)

House Bill No. 204. A Bill for an Act Requiring a Bond To Be Furnished by Applicants for a License as a Dealer in Motor Vehicles, Conditioned Upon Compliance With the

Law by Such Applicant, and Providing the Manner of Obtaining Certificates of Title by Dealers to Used Motor Vehicles Originating From Another State.

First reading and reference, 407.
Referred to Committee on State and Federal Government.
Reported back, (amended) 603.
Amendments, 603.
Adopted, 632.
Second reading, 662.
To House, 677.
Signed by the President, 769.
Returned to House, 798.

House Bill No. 206—(Received from House, 400)

House Bill No. 206. A Bill for an Act to Amend and Reenact Subsection 6 of Section 26-0335 of the North Dakota Revised Code of 1943, Relating to Provisions Required in Life Insurance Policy Issued on Other Than Standard Form, and Declaring an Emergency.

First reading and reference, 407.
Referred to Committee on Industry and Business.
Reported back, (do pass) 480.
Second reading, 533.
To House, 546.
Signed by the President, 623.
Returned to House, 623.

House Bill No. 210—(Received from House, 416)

House Bill No. 210. A Bill for an Act Making an Appropriation for a Pension for National Guardsman Nennor A. Nelson, Jr., and Declaring an Emergency.

Returned to House, 623.
First reading and reference, 425.
Referred to Committee on Appropriations.
Reported back, (do pass) 531.
Second reading, 554.
To House, 584.
Signed by the President, 644.
Returned to House, 733.

House Bill No. 211—(Received from House, 471)

House Bill No. 211. A Bill for an Act Regulating the Maximum Hours of Work an Employee, Other Than the Chief, in a Fire Department in Any City of North Dakota With a Population of Twenty Thousand or More Inhabitants, Shall be Required to Work in Any Two Week Period; and Prescribing a Penalty for Violation.

First reading and reference, 486.
Referred to Committee on Labor Relations.
Reported back, (do pass) 518.
Second reading, 542.
To House, 556.
Signed by the President, 623.
Returned to House, 623.

House Bill No. 214—(Received from House, 447)

House Bill No. 214. A Bill for an Act to Amend and Reenact Section 57-0221 of the North Dakota Revised Code

of 1943 Relating to Personal Property Tax Exemption for Certain Persons.

First reading and reference, 467.
Referred to Committee on Finance and Taxation.
Reported back, (do pass) 541.
Second reading, 575.
To House, 598.
Signed by the President, 689.
Returned to House, 733.

House Bill No. 215—(Received from House, 416)

House Bill No. 215. A Bill for an Act Creating and Establishing a North Dakota Highway Patrolmen's Retirement System; Creating and Establishing a Fund to Be Known as the North Dakota Highway Patrolmen's Retirement Fund; Providing for Payments Upon Retirement, Death, Disability, Voluntary and Involuntary Retirement From the North Dakota Highway Patrolmen's Retirement Fund; Providing for the Creation of a Board of Trustees and Defining Its Powers and Duties; Providing for Contributions by Members of the North Dakota Highway Patrol; Providing for the Guaranty and Appropriation by the State of North Dakota of Certain of Said Funds; Providing for the Subrogation of the State of North Dakota to the Rights of the Member or Dependent Against Certain Third Parties; Exempting Annuities, Allowances, Returns, Benefits and Rights From Taxation and Judicial Process; and Providing for Penalties.

First reading and reference, 425.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 493.
Second reading, 533.
To House, 546.
Signed by the President, 623.
Returned to House, 623.

House Bill No. 217—(Received from House, 447)

House Bill No. 217. A Bill for an Act to Amend and Reenact Section 37-1419 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Salary and Expenses of County Veterans' Service Officer.

First reading and reference, 467.
Referred to Committee on Veterans and Military Affairs.
Reported back, (do pass) 561.
Second reading, 592.
To House, 631.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 218—(Received from House, 471)

House Bill No. 218. A Bill for an Act to Amend and Reenact Chapter 272 of the Session Laws of 1947 Providing for the Exemption of Certain Disabled Veterans From Payment of Registration Fee for Vehicle Owned by Such Disabled Veteran and Exempting Such Veteran From the Payment of Sales and Use Tax on Subsequently Purchased Automobile, and Declaring an Emergency.

First reading and reference, 486.
Referred to Committee on Veterans and Military Affairs.

Reported back, (do pass) 561.
Second reading, 593.
To House, 631.
Signed by the President, 689.
Returned to House, 733.

House Bill No. 220—(Received from House, 289)

House Bill No. 220. A Bill for an Act to Repeal Section 44-0801 of the North Dakota Revised Code of 1943, Relating to the Preference Given to North Dakota Bidders and Sellers in Purchasing Any Goods, Merchandise, Supplies, or Equipment.

First reading and reference, 303.
Referred to Committee on Judiciary.
Reported back, (indefinitely postponed) 645.
To House, 677.

House Bill No. 223—(Received from House, 335)

House Bill No. 223. A Bill for an Act to Amend and Reenact Section 35-0313 of the North Dakota Revised Code of 1943, Relating to Discharge of Real Estate Mortgage Not Renewed or Extended of Record.

First reading and reference, 345.
Referred to Committee on Judiciary.
Reported back, (amended) 645.
Amendments, 645.
Amendments adopted, 678.
Second reading, 713.
To House, 728.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 224—(Received from House, 319)

House Bill No. 224. A Bill for an Act to Amend and Re-enact Section 30-2111 of the North Dakota Revised Code of 1943, Relating to Recording Certified Copy of Decree of Distribution When It Affects the Title to Real Estate.

First reading and reference, 327.
Referred to Committee on Judiciary.
Reported back, (amended) 629.
Amendments, 629.
Amendments adopted, 652.
Second reading, 700.
To House, 715.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 226—(Received from House, 503)

House Bill No. 226. A Bill for an Act to Amend and Reenact Section 40-5107 of the 1947 Supplement to the North Dakota Revised Code of 1943 and Section 40-5108 of the North Dakota Revised Code of 1943, Relating to Inclusion of Territory Within City Limits by Resolution Initiated by Governing Body of City, Providing for a Computation of Property Owners, Providing That Territory Within Another Municipality Shall Not Be Annexed; Providing for Publication

of Resolution; Providing for Protest; Providing Under What Circumstances Property Shall Not Be Annexed; Providing for a Hearing Thereof and for Personal Inspection of the Territory Proposed To Be Annexed; and Providing That Lands Used Exclusively for Farming or Pasturage Purposes Shall Not Be Annexed, and Declaring an Emergency.

First reading and reference, 504.
 Referred to Committee on Political Subdivisions.
 Reported back, (on calendar) 629.
 Amended on floor, 701.
 Second reading, 701.
 To House, 745.
 Signed by the President, 799.
 Returned to House, 805.

House Bill No. 227—(Received from House,)

House Bill No. 227. A Bill for an Act Providing for Appeal to the District Court From Decision of Annexation Review Commission Relating to the Annexation of Territory by City; Providing for the Filing and Service of Notice of Appeal and Undertaking for Appeal and Providing for Determination by the District Court, and Declaring an Emergency.

First reading and reference, 368.
 Referred to Committee on Judiciary.
 Reported back, (on calendar) 707.
 Second reading, 740.
 To House, 744.
 Signed by the President, 796.
 Returned to House, 798.

House Bill No. 228—(Received from House, 471)

House Bill No. 228. A Bill for an Act to Amend and Reenact Section 11-1015 of the North Dakota Revised Code of 1943; Providing for Mileage of County Officials Unless Otherwise Provided by the Laws of This State, and Declaring an Emergency.

First reading and reference, 486.
 Referred to Committee on State and Federal Government.
 Reported back, (do pass) 561.
 Second reading, 593.
 To House, 631.
 Signed by the President, 732.
 Returned to House, 733.

House Bill No. 231—(Received from House, 487)

House Bill No. 231. A Bill for an Act Reappropriating Any Unused Funds Previously Appropriated for the Veterans' Emergency Fund.

First reading and reference, 505.
 Reported back, (do pass) 561.
 Second reading, 594.
 To House, 631.
 Signed by the President, 732.
 Returned to House, 733.

House Bill No. 232—(Received from House, 309)

House Bill No. 232. 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.

First reading and reference, 313.
Referred to Committee on Appropriations.
Reported back, (do pass) 382.
Second reading, 409.
To House, 415.
Signed by the President, 508.
Returned to House, 509.

House Bill No. 235—(Received from House,)

House Bill No. 235. A Bill for an Act Providing That Clerks of District Courts, in Which Decrees of Divorce, or Judgments of Annulments of Marriages Have Been Entered, to Furnish Information to the State Registrar of Vital Statistics Relating to Such Decrees or Judgments.

First reading and reference, 368.
Referred to Committee on Social Welfare.
Reported back, (do pass) 398.
Second reading, 430.
To House, 453.
Signed by the President, 508.
Returned to House, 509.

House Bill No. 236—(Received from House, 431)

House Bill No. 236. A Bill for an Act Fixing the Time of the Day for the Commencement of the Deer Hunting Season, and Prescribing a Penalty for the Violation Thereof.

First reading and reference, 442.
Referred to Committee on Natural Resources.
Reported back, (do pass) 573.
Second reading, 620.
To House, 651.
Signed by the President, 732.
Returned to House, 733.

House Bill No. 237—(Received from House, 447)

House Bill No. 237. A Bill for an Act to Amend and Reenact Section 36-0510 of the North Dakota Revised Code of 1943 Relating to Inspection of Livestock Entering Sales Ring for Health, and Prescribing Fees.

First reading and reference, 467.
Referred to Committee on Agriculture.
Reported back, (do pass) 541.
Second reading, 575.
To House, 598.
Signed by the President, 689.
Returned to House, 733.

House Bill No. 238—(Received from House, 431)

House Bill No. 238. A Bill for an Act Defining Strays and Estrays; Authorizing the Inspection of Cattle at All Livestock Markets; North Dakota Livestock Sanitary Board

to Prescribe Rules for Inspection; Authorizing the North Dakota Stockmen's Association to Appoint Brand Inspectors and to Make Inspections of All Shipments and Consignments of Cattle at All Livestock Markets; Providing for the Sale of Estrays and Determination of the Ownership, and for the Disposition of the Moneys Received Therefor; Providing for Examination and Inspection of Accounts and Records by the State Examiner; and Repealing All Acts or Parts of Acts in Conflict Therewith.

First reading and reference, 442.
Referred to Committee on Agriculture.
Reported back, (do pass) 541.
Second reading, 576.
To House, 598.
Signed by the President, 689.
Returned to House, 733.

House Bill No. 239—(Received from House, 416)

House Bill No. 239. A Bill for an Act Authorizing Any Corporation or Association Organized Under Previously Existing Statutes, to Adopt and Be Bound by the Provisions of Chapter 10-12 of the North Dakota Revised Code of 1943, Relating to Mutual Aid Corporations.

First reading and reference, 426.
Referred to Committee on Agriculture.
Reported back, (do pass) 531.
Second reading, 554.
To House, 584.
Signed by the President, 644.
Returned to House, 733.

House Bill No. 240—(Received from House, 416)

House Bill No. 240. A Bill for an Act to Amend and Reenact Section 10-1508 of the North Dakota Revised Code of 1943, Relating to the Adoption and Amendment of By-laws, and Setting Forth Quorum of Stockholder Requirements.

First reading and reference, 426.
Referred to Committee on Judiciary.
Reported back, (amended) 707.
Amendments, 707.
Amendments adopted, 714.
Second reading, (lost) 740.
Returned to House, 748.

House Bill No. 241—(Received from House, 503)

House Bill No. 241. A Bill for an Act to Amend and Reenact Section 4-0712 of the North Dakota Revised Code of 1943, Relating to the Adoption, Amendment and Contents of By-laws.

First reading and reference, 505.
Referred to Committee on Judiciary.
Reported back, (do pass) 708.
Amended on floor, 742.
Second reading, 743.
To House, 744.
Signed by the President, 799.
Returned to House, 805.

House Bill No. 242—(Received from House, 447)

House Bill No. 242. A Bill for an Act to Amend and Reenact Section 40-4510 of the North Dakota Revised Code of 1943, Relating to Police Pensions and Declaring an Emergency.

First reading and reference, 468.

Referred to Committee on Veterans and Military Affairs.

Reported back, (do pass), 561.

Second reading, 594.

To House, 631.

Signed by the President, 732.

Returned to House, 733.

House Bill No. 245—(Received from House,)

House Bill No. 245. A Bill for an Act to Amend and Reenact Sections 57-15061 and 57-15062 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to County Tax Levy for Farm to Market Road, Election Therefore and the Fund Raised and Use Thereof.

First reading and reference, 369.

Referred to Committee on Transportation.

Reported back, (do pass) 561.

Second reading, 595.

To House, 631.

Signed by the President, 732.

Returned to House, 733.

House Bill No. 247—(Received from House, 447)

House Bill No. 247. A Bill for an Act to Amend and Reenact Sections 23-1131, 23-1132, 23-1133, 23-1134 and 23-1135 of the North Dakota Revised Code of 1943, to Authorize Housing Authorities to Undertake the Development or Administration of Projects to Assure the Availability of Safe and Sanitary Dwellings for Persons Engaged in National-defense Activities and Veterans of World War I and World War II; to Authorize housing Authorities to Cooperate With or Act as Agent of the Federal Government in the Development and Administration of Such Projects of the Federal Government, to Acquire or Lease Such Projects and to Sell Certain Projects to the Federal Government; to Authorize Public Bodies to Assist Such Projects of Housing Authorities and of the Federal Government; Defining "Veteran", and Declaring an Emergency.

First reading and reference, 468.

Referred to Committee on State and Federal Government.

Reported back, (amended) 561.

Amendments, 561.

Amendments adopted, 579.

Second reading, 634.

To House, 651.

Signed by the President, 796.

Returned to House, 798.

House Bill No. 248—(Received from House, 447)

House Bill No. 248. A Bill for an Act to Amend and Reenact Section 40-4611 of the North Dakota Revised Code

of 1943, Relating to Employees' Pensions in Cities and Declaring an Emergency.

First reading and reference, 468.

Referred to Committee on Veterans and Military Affairs.

Reported back, (do pass) 562.

Second reading, 595.

To House, 631.

Signed by the President, 732.

Returned to House, 733.

House Bill No. 249—(Received from House, 447)

House Bill No. 249. A Bill for an Act to Facilitate Housing for Veterans of World War I and World War II; to Authorize Cooperation With the Officers and Agencies of the United States Government in Respect Thereto; Granting Certain Emergency Powers to the Governor and Any State Agency or Official Designated by Him, and Declaring an Emergency.

First reading and reference, 468.

Referred to Committee on State and Federal Government.

Reported back, (do pass) 562.

Second reading, 595.

To House, 631.

Signed by the President, 732.

Returned to House, 734.

House Bill No. 250—(Received from House, 447)

House Bill No. 250. A Bill for an Act to Amend and Reenact Section 30-2311 of the North Dakota Revised Code of 1943, Relating to the Filing of Accounts by Guardians of Wards Receiving Benefits From the Veterans Administration; Providing for Certification of Securities or Investments and Bank Deposits Held by Such Guardians; Providing for the Furnishing of Copies of Accounts and Petitions to the Veterans Administration and Relating to Notices and Hearings Thereon.

First reading and reference, 468.

Referred to Committee on Judiciary.

Reported back, (indefinitely postponed) 646.

Returned to House, 677.

House Bill No. 253—(Received from House,)

House Bill No. 253. A Bill for an Act Establishing the Doctrine of Comparative Negligence in Tort Actions.

First reading and reference, 369.

Referred to Committee on Judiciary.

Re-referred, 678.

Reported back, (indefinitely postponed) 646, (indefinitely postponed) 708.

Reconsidered, 678.

Returned to House, 715.

House Bill No. 254—(Received from House, 491)

House Bill No. 254. A Bill for an Act Providing for Annexation of Remaining Portions of Reorganized School Districts to Other Districts.

First reading and reference, 505.

Referred to Committee on Education.

Reported back, (do pass) 630.
Second reading, 662.
To House, 677.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 256—(Received from House, 471)

House Bill No. 256. A Bill for an Act to Amend and Reenact Section 10-0403 of the 1947 Supplement to the North Dakota Revised Code of 1943, Defining Securities Exempted From the Provisions of Chapter 10-04 of the North Dakota Revised Code of 1943, and Declaring an Emergency.

First reading and reference, 486.
Referred to Committee on Industry and Business.
Reported back, (amended) 531.
Amendments, 531.
Amendments adopted, 547.
Second reading, 577.
To House, 598.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 258—(Received from House, 503)

House Bill No. 258. A Bill for an Act to Amend and Reenact Section 30-1802 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Notice to Creditors by Administrators or Executors.

First reading and reference, 505.
Referred to Committee on Judiciary.
Reported back, (indefinitely postponed) 708.
Returned to House, 715.

House Bill No. 261—(Received from House, 447)

House Bill No. 261. A Bill for an Act Making an Appropriation to the State Historical Society for Land Acquisition, Fences, Roads, Parking Area, Picnic Area Development, Beach Improvement and Repairs and Improvements to Lodge and Other Buildings in the Sum of Twenty-three Thousand Dollars, for Proposed Development of Lake Metigoshe State Park.

First reading and reference, 468.
Referred to Committee on Appropriations.
Reported back, (do pass) 518.
Second reading, 544.
To House, 556.
Signed by the President, 623.
Returned to House, 623.

House Bill No. 262—(Received from House, 400)

House Bill No. 262. A Bill for an Act Authorizing the State Board of Higher Education to Sell and Convey a Tract of Land, Described as That Portion of the South Half of Section 35, Township 140 North Range 49 West of the 5th P. M., Which Lies South of the Great Northern Railway Right of Way, and to Use the Proceeds of Said Sale for the Purchase of Other Suitable Agricultural Land.

First reading and reference, 407.
Referred to Committee on State and Federal Government.

Reported back, (do pass) 562.
Second reading, 609.
To House, 631.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 264—(Received from House, 503)

House Bill No. 264. A Bill for an Act to Amend and Reenact Section 15-5314 and 15-5320 of the 1947 Supplement to the North Dakota Revised Code of 1943 Relating to the Reorganization Plan for School Districts To Be Submitted to the State Committee, and the Method of Voting in the Reorganized Districts.

First reading and reference, 505.
Referred to Committee on Education.
Reported back, (amended) 630.
Amendments, 630.
Amendments adopted, 678.
Second reading, 713.
To House, 744.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 265—(Received from House, 384)

House Bill No. 265. A Bill for an Act to Amend and Reenact Section 39-0309 of the North Dakota Revised Code of 1943, Relating to Powers of Commissioner and Highway Patrol.

First reading and reference, 391.
Referred to Committee on Transportation.
Reported back, (do pass) 562.
Second reading, 610.
To House, 631.
Requested House return, 634.
Returned to Senate, 648.
Reconsidered, 653.
Indefinitely postponed, 654.
Returned to House, 677.

House Bill No. 266—(Received from House, 384)

House Bill No. 266. A Bill for an Act to Amend Section 15-2505 as Amended and Section 15-2905 of the North Dakota Revised Code of 1943, Relating to Compensation of Board Members in Common and Special School Districts.

First reading and reference, 391.
Referred to Committee on Education.
Reported back, (do pass) 452.
Second reading, 534.
To House, 546.
Signed by the President, 623.
Returned to House, 623.

House Bill No. 268—(Received from House, 416)

House Bill No. 268. A Bill for an Act to Amend and Reenact Section 39-0303 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Patrolmen: Appointment; Removal; Duties.

First reading and reference, 426.
Referred to Committee on State and Federal Government.

Reported back, (amended) 493.
Amendments, 493.
Amendments adopted, 518.
Second reading, 548.
To House, 556.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 269—(Received from House, 384)

House Bill No. 269. A Bill for an Act Providing for the Cancellation of Checks Issued by the State Department of Health, Which Are More Than Six Years Old and Deposit to General Fund and Subsequent Payment.

First reading and reference, 391.
Referred to Committee on Social Welfare.
Reported back, (do pass) 480.
Second reading, 534.
To House, 546.
Signed by the President, 623.
Returned to House, 623.

House Bill No. 270—(Received from House, 309)

House Bill No. 270. A Bill for an Act Making an Appropriation to the Board of Administration for the Purchase of Lots for the Capitol Grounds.

First reading and reference, 313.
Referred to Committee on Appropriations.
Reported back, (do pass) 493.
Second reading, 535.
To House, 546.
Signed by the President, 623.
Returned to House, 623.

House Bill No. 271—(Received from House, 503)

House Bill No. 271. A Bill for an Act to Provide for Continued Operation of Schools in Reorganized Districts.

First reading and reference, 505.
Referred to Committee on Education.
Reported back, (do pass) 630.
Second reading, 663.
To House, 677.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 272—(Received from House, 471)

House Bill No. 272. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 125 of the North Dakota Session Laws of 1947, Relating to the Erection and Operation of War Memorials; Authorizing a County to Join With a City, School District, or Other Public or Private Non-profit Corporation or Agency in the Erection and Operation of Such War Memorials, and Declaring an Emergency.

First reading and reference, 486.
Referred to Committee on Veterans and Military Affairs.
Reported back, (amended) 672.
Amendments, 672.

Amendments adopted, 697.
 Second reading, 724.
 To House, 728.
 Signed by the President, 796.
 Returned to House, 798.

House Bill No. 273—(Received from House, 491)

House Bill No. 273. A Bill for an Act Authorizing the Creation, Establishment and Operation of Investment Trust Companies in the State of North Dakota, Providing for the Supervision Thereof by the State Examiner, and Regulating the Business To Be Conducted by Such Companies.

First reading and reference, 505.
 Referred to Committee on Industry and Business.
 Reported back, (amended) 545.
 Amendments, 545.
 Amendments adopted, 567.
 Amended on floor, 610.
 Second reading, 610.
 To House, 631.
 Signed by the President, 796.
 Returned to House, 798.

House Bill No. 274—(Received from House,)

House Bill No. 274. A Bill for an Act to Amend and Re-enact Section 50-0705 of the North Dakota Revised Code of 1943 Relating to Ownership of Property or Insurance Policy Does Not Preclude Granting of Assistance: Transferred in Trust.

First reading and reference, 369.
 Referred to Committee on Social Welfare.
 Reported back, (do pass) 480.
 Second reading, 535.
 To House, 546.
 Signed by the President, 623.
 Returned to House, 623.

House Bill No. 275—(Received from House, 431)

House Bill No. 275. A Bill for an Act to Amend and Re-enact Section 50-0108 of the North Dakota Revised Code of 1943 Pertaining to Members of County Welfare Board; Term of Office; Oath; Compensation.

First reading and reference, 442.
 Referred to Committee on Social Welfare.
 Reported back, (do pass) 480.
 Second reading, 536.
 To House, 546.
 Signed by the President, 623.
 Returned to House, 623.

House Bill No. 277—(Received from House, 384)

House Bill No. 277. A Bill for an Act to Amend and Re-enact Sub-section One (1) of Section 50-0204 of the North Dakota Revised Code of 1943 Pertaining to Residence in Counties; How Gained; and Declaring an Emergency.

First reading and reference, 391.
 Referred to Committee on Social Welfare.

Re-referred, 566.
Reported back, (indefinitely postponed) 480, (do pass) 630.
Senate requests return, 556.
Reconsidered, 566.
To House, 491, 677.
Returned to Senate, 557.
Second reading, 663.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 279—(Received from House, 487)

House Bill No. 279. A Bill for an Act to Amend and Reenact Subsection 5 of Section 23-0603 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to the Duty of Counties to Bury Deceased Persons.

First reading and reference, 505.
Referred to Committee on Social Welfare.
Reported back, (do pass) 630.
Second reading, 664.
To House, 677.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 282—(Received from House, 503)

House Bill No. 283. A Bill for an Act to Amend and Reenact Chapter 187 Session Laws of 1947 Numbered 20-0117 of the 1947 Supplement to the North Dakota Revised Code of 1943 Relative to Hunting or Pursuing Game Birds or Trapping Protected Fur-bearing Animals Without Permission of the Owner of the Land, and Providing a Penalty Therefor.

First reading and reference, 506.
Referred to Committee on Education.
Reported back, (amended) 603.
Amendments, 603.
Amendments adopted, 632.
Second reading, 680.
To House, 696.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 284—(Received from House, 416)

House Bill No. 284. A Bill for an Act to Provide for the Consolidation of School Districts When the Assessed Valuation of Any District Is Diminished by the Acquisition of Property Under Eminent Domain; the Consolidation of the Remaining Portion With Adjoining Districts; Requiring Notice Before Action Is Taken; Making the Action of the County Commissioners Final; and Repeal Act or Parts of Act in Conflict Therewith, and Declaring an Emergency.

First reading and reference, 426.
Referred to Committee on Education.
Reported back, (amended) 630.
Amendments, 630.
Amendments adopted, 652.
Second reading, 703.
To House, 715.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 287—(Received from House,)

House Bill No. 287. A Bill for an Act Requiring Municipalities to Maintain in Sanitary Condition Roads Leading to Grounds for the Disposal of Garbage, and Setting Forth Exceptions to the Application of Said Act.

First reading and reference, 369.
Referred to Committee on Transportation.
Reported back, (amended) 562.
Amendments, 562.
Amendments adopted, 579.
Second reading, 635.
To House, 651.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 288—(Received from House; 504)

House Bill No. 288. A Bill for an Act to Amend and Reenact Sections 43-0901, 43-0902, 43-0904, 43-0905, 43-0911, 43-0913, 43-0914 and 43-0920 of the North Dakota Revised Code of 1943 and Repealing Section 43-0903 of the North Dakota Revised Code of 1943, Relating to Electricians.

First reading and reference, 506.
Referred to Committee on Industry and Business.
Reported back, (amended) 603.
Amendments, 603.
Amendments adopted, 632.
Amended on floor, 681.
Second reading, 681.
To House, 696.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 289—(Received from House, 309)

House Bill No. 289. A Bill for an Act to Amend and Reenact Section 54-3510 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Compensation of Members of the Legislative Research Committee.

First reading and reference, 314.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 382.
Second reading, 409.
To House, 415.
Signed by the President, 508.
Returned to House, 509.

House Bill No. 290—(Received from House, 400)

House Bill No. 290. A Bill for an Act to Amend and Reenact Sections 14-1104, 14-1105, 14-1110, and 14-1111 of the North Dakota Revised Code of 1943, and Section 14-1108 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Adoption of Children, and Declaring an Emergency.

First reading and reference, 407.
Referred to Committee on Judiciary.
Reported back, (amended) 672.
Amendments, 672.
Amendments adopted, 697.

Second reading, 725.
To House, 728.
Signed by the President, 799.
Returned to House, 805.

House Bill No. 291—(Received from House, 384)

House Bill No. 291. A Bill for an Act Relating to Adoption; Providing Conditions Under Which Adoption Proceedings Will Be Conclusively Presumed Valid, and the Relation of Parent and Child Established; and Declaring an Emergency.

First reading and reference, 392.
Referred to Committee on Judiciary.
Reported back, (amended) 674.
Amendments, 674.
Amendments adopted, 697.
Second reading, 725.
To House, 728.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 292—(Received from House, 384)

House Bill No. 292. A Bill for an Act to Authorize the Juvenile Court to Terminate Parental Rights in Certain Cases; Providing the Procedure Therefor; Providing for the Supervision, Custody, and Consent to Adoption of Children in Such Cases; Providing for the Appointment of Guardians Ad Litem; and Declaring an Emergency.

First reading and reference, 392.
Referred to Committee on Judiciary.
Reported back, (amended) 675.
Amendments, 675.
Amendments adopted, 697.
Second reading, 726.
To House, 728.
Signed by the President, 799.
Returned to House, 805.

House Bill No. 294—(Received from House, 319)

House Bill No. 294. A Bill for an Act to Amend Section 15-4007 of the 1947 Supplement to the North Dakota Revised Code of 1943 by Creating Subsection 6, Relating to Requirements for Expenditures From the Emergency Fund of the State Equalization Fund.

First reading and reference, 327.
Referred to Committee on Education.
Reported back, (indefinitely postponed) 562.
Returned to House, 584.

House Bill No. 304—(Received from House,)

House Bill No. 304. A Bill for an Act to Amend and Reenact Section 20-0611 of the North Dakota Revised Code of 1943 Relating to the Maintaining of Fish Houses or Structures Used for Fishing Through the Ice.

First reading and reference, 369.
Referred to Committee on Natural Resources.
Reported back, (indefinitely postponed) 573.
Returned to House, 598.

House Bill No. 306—(Received from House, 491)

House Bill No. 306. A Bill for an Act Assessing and Levying on All Licensed Dealers of Motor Vehicle Fuels, a Special License Tax of Two Cents Per Gallon on Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed, Appropriating the Proceeds of Such Special Tax to the "Special County and State Highway Construction Fund", Providing for the Division of Said Fund Between the State Highway Department and the Counties of the State for Construction and Reconstruction of Secondary State Highways, and the Construction and Reconstruction of County and Township Roads, Making Certain Provisions of Chapter 57-41 of the North Dakota Revised Code of 1943 as amended and Chapter 57-50 of the 1947 Supplement to the North Dakota Revised Code of 1943 Applicable to Said Special License Tax, and Providing a Penalty.

First reading and reference, 506.
Referred to Committee on Transportation.
Reported back, (do pass) 695.
Second reading, (lost) 717; (final passage) 778.
Reconsidered, 759.
To House, 783.
Signed by the President, 807.
Returned to House, 807.

House Bill No. 307—(Received from House, 504)

House Bill No. 307. A Bill for an Act to Amend and Reenact Sections 39-1301 and 39-1302 of the North Dakota Revised Code of 1943, Relating to Traffic Signs.

First reading and reference, 506.
Referred to Committee on Transportation.
Reported back, (do pass) 562.
Second reading, 611.
To House, 631.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 309—(Received from House, 491)

House Bill No. 309. A Bill for an Act to Amend and Reenact Section 43-1813 of the North Dakota Revised Code of 1943, Relating to Licenses for Plumbers.

First reading and reference, 506.
Referred to Committee on General Affairs.
Reported back, (do pass) 605.
Second reading, (lost) 641.
To House, (indefinitely postponed) 651.
Senate requests return, 653.
Returned to Senate, 654.
Motion to reconsider, (lost) 667.
Returned to House, (indefinitely postponed) 696.

House Bill No. 310—(Received from House, 491)

House Bill No. 310. A Bill for an Act to Amend and Reenact Section 39-1605 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Suspension

of Drivers' and Owners' Licenses and Privileges After Motor Vehicle Accidents.

First reading and reference, 506.
Referred to Committee on Transportation.
Reported back, (indefinitely postponed) 630.
Returned to House, 651.

House Bill No. 314—(Received from House, 391)

House Bill No. 314. A Bill for an Act to Amend and Reenact Section 50-0713 of the North Dakota Revised Code of 1943, Relating to the Minimum Amount of Old Age Assistance and Declaring an Emergency.

First reading and reference, 506.
Referred to Committee on Social Welfare.
Reported back, (amended) 631.
Amendments, 631.
Amendments adopted, 652.
Second reading, 703.
To House, 715.
Conference Committee, 743.
Conference Committee Report, 765; (adopted) 765.
Final passage, 765.
Signed by the President, 807.
Returned to House, 807.

House Bill No. 318—(Received from House, 335)

House Bill No. 318. A Bill for an Act to Regulate the Promulgation of Rules or Regulations by Administrative Agencies of the State of North Dakota, and Declaring an Emergency.

First reading and reference, 345.
Referred to Committee on State and Federal Government.
Reported back, (indefinitely postponed) 605.
Returned to House, 632.

House Bill No. 319—(Received from House, 384)

House Bill No. 319. A Bill for an Act to Amend and Re-enact Subdivision 4 of Section 43-1515, Relating to the Qualifications for Registered Pharmacists.

First reading and reference, 392.
Referred to Committee on General Affairs.
Reported back, (do pass) 541.
Second reading, 580.
To House, 598.
Signed by the President, 689.
Returned to House, 734.

House Bill No. 324—(Received from House, 384)

House Bill No. 324. A Bill for an Act to Amend and Reenact Section 39-0803 of the North Dakota Revised Code of 1943 Relating to Reckless Driving. Defining Aggravated Reckless Driving, and Prescribing Penalties.

First reading and reference, 392.
Referred to Committee on Judiciary.
Reported back, (amended) 646.
Amendments, 646.

Amendments adopted, 678.
Second reading, 723.
To House, 728.
Signed by the President, 796.
Returned to House, 798.

House Bill No. 327—(Received from House, 487)

House Bill No. 327. A Bill for an Act to Amend Section 6-0121 of the North Dakota Revised Code of 1943, Relating to Examinations by the State Examiner.

First reading and reference, 506.
Referred to Committee on Industry and Business.
Reported back, (do pass) 518.
Second reading, 548.
To House, 556.
Signed by the President, 623.
Returned to House, 623.

House Bill No. 329—(Received from House, 416)

House Bill No. 329. A Bill for an Act to Amend and Reenact Section 19-0508 of the North Dakota Revised Code of 1943, Relating to Tax on Oleomargarine.

First reading and reference, 426.
Referred to Committee on Finance and Taxation.
Reported back, (do pass) 541.
Second reading, 581.
To House, 598.
Signed by the President, 689.
Returned to House, 734.

House Bill No. 330—(Received from House, 491)

House Bill No. 330. A Bill for an Act to Amend and Re-enact Section 34-0903 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to the Regulating of Labor Relationships, Unions or Other Associations, Etc., and Extending the Benefits of Said Act to Employers, Associations of Employers, and Others.

First reading and reference, 507.
Referred to Committee on Labor Relations.
Reported back, (without recommendation) 631.
Amended on floor, 708.
Second reading, (lost) 708.
Returned to House, 715.

House Bill No. 331—(Received from House, 471)

House Bill No. 331. A Bill for an Act to Amend and Re-enact Section 34-0913 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to the Unlawfulness of Certain Practices in Labor Disputes.

First reading and reference, 486.
Referred to Committee on Labor Relations.
Reported back, (without recommendations) 646.
Amended on floor, 709.
Second reading, (lost) 709.
Returned to House, 715.

House Bill No. 334—(Received from House, 400)

House Bill No. 334. A Bill for an Act to Amend and Reenact Section 15-3613 of the 1947 Supplement to the North Dakota Revised Code of 1943, Relating to Teachers Examination for Second Grade Elementary Certificates.

First reading and reference, 407.
Referred to Committee on Education.
Reported back, (do pass) 562.
Second reading, 611.
To House, 631.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 335—(Received from House, 504)

House Bill No. 335. A Bill for an Act to Amend Subparagraph Numbered 2 of Section 11-1701 of the Revised Code of 1943, Relating to the Duties of the Clerk of Court; and to Provide for the Appointment of Deputies in Certain Counties, Official Bonds for Such Deputies, and Providing for Fixing Salaries, and Prescribing Duties for Such Deputies, and Declaring an Emergency.

First reading and reference, 507.
Referred to Committee on Judiciary.
Reported back, (on calendar) 652.
Amended on floor, 704.
Second reading, 704.
To House, 715.
Signed by President, 796.
Returned to House, 798.

House Bill No. 336—(Received from House, 491)

House Bill No. 336. A Bill for an Act to Provide for the Installation of Head and Rear Lights on Track Motor Cars Operated by Railroads and Providing a Penalty.

First reading and reference, 507.
Referred to Committee on Transportation.
Reported back, (do pass) 579.
Second reading, 635.
To House, 651.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 337—(Received from House, 431)

House Bill No. 337. A Bill for an Act Authorizing the Board of Administration to Sell and Convey to Northwest Inner Mission Society, a Religious and Charitable Corporation, Not to Exceed Five Acres at Ten Dollars Per Acre, a Part of Lot 3 of Section 19, Township 162, North of Range 72 West, in Rolette County, North Dakota, To Be Used as an Indian Children's Playground in Connection With Such Institution.

First reading and reference, 442.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 563.
Second reading, 612.
To House, 631.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 338—(Received from House, 400)

House Bill No. 338. A Bill for an Act Relating to Attendance of Pupils in Certain Schools and Amending and Re-enacting Subsections 1 and 2 of Section 15-2908 of the North Dakota Revised Code of 1943.

First reading and reference, 407.
Referred to Committee on Education.
Reported back, (do pass) 563.
Second reading, 612.
To House, 631.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 339—(Received from House, 487)

House Bill No. 339. A Bill for an Act Making an Appropriation for the Purpose of Paying a Deficiency in the Postage, Supplies, Printing, Furniture and Fixtures Fund of the Tax Commissioner, and Declaring an Emergency.

First reading and reference, 507.
Referred to Committee on Appropriations.
Reported back, (do pass) 563.
Second reading, 613.
To House, 631.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 340—(Received from House, 504)

House Bill No. 340. A Bill for an Act to Amend and Re-enact Section 15-3602 of the 1947 Supplement to the North Dakota Revised Code of 1943 Relating to Second Grade Elementary Teaching Certificates.

First reading and reference, 507.
Referred to Committee on Education.
Reported back, (do pass) 563.
Second reading, 613.
To House, 631.
Signed by the President, 732.
Returned to House, 734.

House Bill No. 341—(Received from House, 400)

House Bill No. 341. A Bill for an Act Making an Appropriation in the Sum of \$10,000.00 to the Department of Agriculture and Labor of the State of North Dakota, to be Expended for Predatory Animal Control; and Declaring an Emergency.

First reading and reference, 407.
Referred to Committee on Appropriations.
Reported back, (do pass) 418.
Second reading, 419.
To House, 420.
Signed by the President, 453.
Returned to House, 453.

House Bill No. 342—(Received from House, 491)

House Bill No. 342. A Bill for an Act to Amend and Reenact Sections 39-0102 and 39-0103 of the North Dakota Revised Code of 1943, Providing for the Names To Be Printed on State-owned Motor Vehicles; Providing a Penalty

and Prohibiting the Use of any State-owned Motor Vehicle for Private Use or Political Activities, and Declaring an Emergency.

First reading and reference, 507.
 Referred to Committee on Transportation.
 Reported back, (amended) 563.
 Amendments, 563.
 Amendments adopted, 579.
 Second reading, 636.
 To House, 651.
 Signed by the President, 796.
 Returned to House, 798.

House Bill No. 343—(Received from House, 503)

House Bill No. 343. A Bill for an Act to Amend and Re-enact Subdivision (1) of Subsection C of Section 52-0920 of the 1947 Supplement to the North Dakota Revised Code of 1943, Providing for the General Welfare of Public Employees by Establishing an Old Age and Survivor Insurance System, and Declaring an Emergency.

First reading and reference, 507.
 Referred to Committee on Political Subdivisions.
 Reported back, (do pass) 605.
 Second reading, 641.
 To House, 651.
 Signed by the President, 732.
 Returned to House, 734.

House Bill No. 344—(Received from House, 504)

House Bill No. 344. A Bill for an Act to Amend and Re-enact Section 40-4601 of the North Dakota Revised Code of 1943 with Reference to Pensions for City Employees and Providing that Members of the Police Force and the Fire Department of Any City Shall Not Be Considered Employees of Said City for the Purpose of the Provisions of Chapter 40-46 of the North Dakota Revised Code of 1943, and Declaring an Emergency.

First reading and reference, 507.
 Referred to Committee on Political Subdivisions.
 Reported back, (amended) 605.
 Amendments, 605.
 Amendments adopted, 632.
 Second reading, 681.
 To House, 696.
 Signed by the President, 796.
 Returned to House, 798.

House Bill No. 347—(Received from House, 504)

House Bill No. 347. A Bill for an Act Authorizing and Relating to Contracts by Cities for the Purchase and Installation of Water Treatment Plants and the Financing Thereof Out of the Net Earnings of Such Plants, and Declaring an Emergency.

First reading and reference, 508.
 Referred to Committee on Political Subdivisions.
 Reported back, (do pass) 563.
 Second reading, 614.
 To House, 631.
 Signed by the President, 732.
 Returned to House, 734.

HOUSE RESOLUTIONS

House Concurrent Resolution "A"—(Received from House, 128)

House Concurrent Resolution "A". A Concurrent Resolution Petitioning Congress to Enact Permanent Legislation to Maintain a Floor of Not Less Than One Hundred Percent of Parity on all Basic Farm Crops.

First reading and reference, 136.

Referred to Committee on Agriculture.

Reported back, (do pass) 149.

Second reading, 170.

To House, 171.

Signed by the President, 244.

Returned to House, 254.

House Concurrent Resolution "C"—(Received from House, 158)

House Concurrent Resolution "C". A Concurrent Resolution Memorializing the Congress of the United States to Increase the Share of Federal Participation and Increase the Annual Appropriation Under Public Law 725.

First reading and reference, 174.

Referred to Committee on Social Welfare.

Reported back, (do pass) 195.

Second reading, 230.

To House, 237.

Signed by the President, 303.

Returned to House, 308.

House Concurrent Resolution "D"—(Received from House, 104)

House Concurrent Resolution "D".

First reading, 107.

Adopted, 107.

To House, 104.

Signed by the President, 125.

Returned to House, 127.

House Concurrent Resolution "E"—(Received from House, 289)

House Concurrent Resolution "E". A Concurrent Resolution Memorializing Congress to Create a Missouri Valley Administration for the Unified Development of the Water and Allied Resources of the Missouri River Basin and Its Tributaries to Their Greatest Potentialities.

First reading and reference, 303.

Referred to Committee on Agriculture.

Reported back, (do pass) 307.

Second reading, (lost) 326.

Reconsidered, (lost) 337.

Returned to House, 360.

House Concurrent Resolution "F"—(Received from House, 335)

House Concurrent Resolution "F". A Concurrent Resolution Providing for an Amendment to the Constitution of the State of North Dakota, Relating to Taxation and Authorizing

the People or the Legislature to Subject Real Property to a Progressive Graduated Tax Increasing According to Area or Value or Both.

First reading and reference, 345.
Referred to Committee on Finance and Taxation.
Reported back, (amended) 398.
Amendments, 399.
Amendments adopted, 433.
Second reading, 549.
To House, 598.
Conference Committee, 683.
House concurred to Senate amendments, 719.
Conference Committee discharged, 748.
Signed by the President, 796.
Returned to House, 798.

House Concurrent Resolution "G"—(Received from House, 171, 184)

House Concurrent Resolution "G". A Concurrent Resolution Providing and Designating House and Senate Employees and Naming and Fixing Their Salaries.

First reading, 178, 184.
Returned to House, for correction, 178.
Second reading, 184.
To House, 186.
Signed by the President, 207.
Returned to House, 207.

House Concurrent Resolution "J"—(Received from House, 289)

House Concurrent Resolution "J". A Concurrent Resolution Memorializing the 81st Congress of the United States to Provide Federal Aid for Education.

First reading and reference, 303.
Referred to Committee on Education.
Reported back, (indefinitely postponed) 564.
Returned to House, 584.

House Concurrent Resolution "K"—(Received from House, 335)

House Concurrent Resolution "K". A Concurrent Resolution Petitioning Congress to Continue Adequate Appropriations to the Farmers Home Administration.

First reading and reference, 345.
Referred to Committee on Agriculture.
Reported back, (do pass) 433.
Adopted, 536.
To House, 546.
Signed by the President, 623.
Returned to House, 623.

House Concurrent Resolution "L"—(Received from House, 384)

House Concurrent Resolution "L". A Concurrent Resolution Memorializing the Congress of the United States to

Investigate the Procedure and Policy of the U. S. Army Engineers in Acquiring and Leasing Lands for the Garrison Dam Reservoir.

First reading and reference, 392.
 Referred to Committee on State and Federal Government.
 Reported back, (do pass) 564.
 Amended on floor, 683.
 Second reading, 710.
 To House, 715.
 Signed by the President, 796.
 Returned to House, 798.

House Concurrent Resolution "M"—(Received from House, 487)

House Concurrent Resolution "M". A Concurrent Resolution in Regard to the Sale of Certain Comic Books.

First reading and reference, 508.
 Referred to Committee on Social Welfare.
 Reported back, (indefinitely postponed) 631.
 To House, 651, 744.
 Senate requests return, 715.
 Returned to Senate, 719.
 Reconsidered, 741.
 Final passage, 741.
 Signed by the President, 796.
 Returned to House, 798.

House Concurrent Resolution "N"—(Received from House, 335)

House Concurrent Resolution "N". A Concurrent Resolution Requesting the Commissioner of Internal Revenue to Extend Time of Filing Tax Returns by Farmers.

First reading and reference, 346.
 Referred to Committee on Agriculture.
 Reported back, (do pass) 433.
 Adopted, 536.
 To House, 546.
 Signed by the President, 623.
 Returned to House, 623.

House Concurrent Resolution "O"—(Received from House, House Concurrent Resolution "O". A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Authorizing the Legislative Assembly to Fix the Compensation and Expenses of the Elective Officers of the State and of the Members of the Legislative Assembly, and Repealing Section 45 of Section 84 of the Constitution of the State of North Dakota.

First reading and reference, 369.
 Referred to Committee on State and Federal Government.
 Reported back, (indefinitely postponed) 493.
 Returned to House, 530.

House Concurrent Resolution "P"—(Received from House, 416)

House Concurrent Resolution "P". A Concurrent Resolution Providing for the Amending of Section 162 of the Constitution of the State of North Dakota, as Amended.

First reading and reference, 426.
 Referred to Committee on State and Federal Government.

Reported back, (do pass) 564.
Second reading, (lost) 642.
Returned to House, 651.

House Concurrent Resolution "Q"—(Received from House, 431)

House Concurrent Resolution "Q". A Concurrent Resolution Recommending that the Industrial Commission Adopt Rules and Regulations for the Loaning of Money by the Bank of North Dakota to Soil Conservation Districts.

First reading and reference, 443.
Referred to Committee on State and Federal Government.
Reported back, (amended) 564.
Amendments, 564.
Amendments adopted, 579.
Second reading, 636.
To House, 651.
Signed by the President, 732.
Returned to House, 734.

House Concurrent Resolution "R"—(Received from House, 275)

House Concurrent Resolution "R." A Concurrent Resolution Extending an Invitation to the President of the United States.

First reading and reference, 284.
Referred to Committee on State and Federal Government.
Adopted, 319.
To House, 335.
Signed by the President, 412.
Returned to House, 415.

House Concurrent Resolution "S"—(Received from House, 504)

House Concurrent Resolution "S"
First reading and reference, 508.
Referred to Committee on Agriculture.
Reported back, (do pass) 531.
Second reading, 555.
To House, 584.
Signed by the President, 732.
Returned to House, 734.

House Concurrent Resolution "T"—(Received from House, 447)

House Concurrent Resolution "T."
First reading and reference, 469.
Referred to Committee on Natural Resources.
Reported back, (do pass) 573.
Second reading, 637.
To House, 651.
Signed by the President, 732.
Returned to House, 734.

House Concurrent Resolution "U"—(Received from House, House Concurrent Resolution "U." A Concurrent Resolution Relating to Chaplain Service.

First reading, 369.
Adopted, 369.

Second reading, 369.
To House, 383.
Signed by the President, 412.
Returned to House, 415.

House Concurrent Resolution "W"—(Received from House, 518)

House Concurrent Resolution "W." A Concurrent Resolution Memorializing the Congress of the United States to Enact H.R. 2369 Authorizing an Appropriation for the Completion of the International Peace Garden.

First reading and reference, 532.
Referred to Committee on State and Federal Government.
Reported back, (do pass) 606.
Adopted, 642.
To House, 651.
Signed by the President, 732.
Returned to House, 734.

House Concurrent Resolution "X"—(Received from House, 543)

House Concurrent Resolution "X." A Concurrent Resolution Declaring the Policy of the State of North Dakota in Regard to Promoting the Growth and Development of the State.

First reading and reference, 548.
Referred to Committee on State and Federal Government.
Reported back, (indefinitely postponed) 606.
Returned to House, 632.

House Concurrent Resolution "Y"—(Received from House, 543)

House Concurrent Resolution "Y". A House Concurrent Resolution Memorializing Congress and the President of the United States Not to Support Any Proposition Disturbing the Rural Electrification Administration as it is Presently Set Up and Not to Disturb the Existing Power Agencies or the Government's Power Policy to the Detriment of the People.

First reading and reference, 548.
Referred to Committee on State and Federal Government.
Reported back, (amended) 606.
Amendments, 606.
Amendments adopted, 632.
Second reading, 684.
To House, 696.
Signed by the President, 796.
Returned to House, 798.

House Concurrent Resolution "Z"—(Received from House, 666)

House Concurrent Resolution "Z." A Concurrent Resolution Memorializing and Petitioning the Congress of the United States to Enact Legislation Providing for the Assumption of a Proportionate Share of the Bonded Indebtedness of Local Units of Government When the Assessed Taxable Valuation in Such Units of Government Is Reduced Through Acquisition of Land by the United States.

First reading, 682.
Adopted, 683.

To House, 695.
Signed by the President, 796.
Returned to House, 798.

House Concurrent Resolution "BB"—(Received from House, 771)

House Concurrent Resolution "BB." A Concurrent Resolution Providing for the Retaining of Certain Employees of the Senate and the House After the Legislative Session for the Purpose of Completing Legislative Work.

First reading, 775.
Adopted, 775.
To House, 777.
Signed by the President, 799.
Returned to House, 805.

House Concurrent Resolution "CC"—(Received from House, 771)

House Concurrent Resolution "CC." A Concurrent Resolution Providing for the Preparation of a Compilation of a Record of Bills Introduced in the House of Representatives and the Senate of the State of North Dakota.

First reading, 776.
Adopted, 776.
To House, 777.
Signed by the President, 799.
Returned to House, 805.

House Concurrent Resolution "DD"—(Received from House, 771)

House Concurrent Resolution "DD." A Concurrent Resolution Providing for the Completion of the Legislative Journals of the Senate and the House.

First reading, 776.
Adopted, 777.
To House, 777.
Signed by the President, 799.
Returned to House, 805.

House Concurrent Resolution "FF"—(Received from House, 771)

House Concurrent Resolution "FF". A Concurrent Resolution Directed to the State Board of Higher Education and Board of Administration With Reference to Construction of Public Buildings.

First reading, 786.
Second reading, (indefinitely postponed) 786.
Returned to House, 786.

House Concurrent Resolution "GG"—(Received from House, 800)

House Concurrent Resolution "GG." A Concurrent Resolution to Pay the Employees of the Thirty-first Legislative Session One Dollar Per Day to Help Defray Expenses During the 60 Days of the Legislative Session.

First reading, 802.
Amended on floor, 802.
Second reading, 802.
To House, 803.
Signed by the President, 807.
Returned to House, 807.